POLITICS REVISION GUIDE

UK GOVERNMENT AND POLITICS

Contents

UK Politics

Topic 1- Democracy and Participation

- Key ideas in Politics
    - What is Politics?
    - What is power?
    - What is authority?
- Forms and functions of democracy?
- Development of the franchise
- Participation
- Is there a participation crisis?
- Rights and Responsibilities
- Is the UK a liberal democracy?
- How do different groups vote?
- Explaining voter choice
- Election case studies

Topic 2- Elections and Direct Democracy

- Functions of elections
- Elections in the UK
- Types of electoral systems
- Positives and negatives of different electoral systems
- Referendums
- Types of referendums
- Should we use more referendums?

Topic 3- Political Parties

- Introduction and roles of political parties
- Ideologies and Party Systems
- Conservatives
- Labour
- Minor Parties
- Ideological Convergence
- Party Finance
- Are parties still relevant?

Topic 4- Pressure Groups

- What are pressure groups?
- Functions of pressure groups
- Why are pressure groups important?
- Why do people join pressure groups and why have they increased in number?
- Classifying pressure groups
- Pressure group methods
- Direct Action
- Factors influencing success
- Pressure groups and pluralism
- Are pressure groups good for democracy?

Topic 5- The European Union

- What is the EU?
- Aims of the EU?
- How has the UK seen the EU?
- Key Institutions
- Is there a democratic deficit?
- EU Policy-making

- The impact of the EU on UK politics

UK Government

Topic 1- The Constitution

- Feature of the UK constitution
- Development of the constitution
- Constitutional Reform

Topic 2- Parliament

- Roles and functions of parliament
- House of Lords Reform
- The legislative process
- How representative is parliament?
- Roles and powers of MPs
- How powerful is each house?
- How effectively does parliament scrutinise?

Topic 3- The Executive

- What is the executive?
- The prime minister and power
- Limits to prime ministerial power
- Development of prime ministerial power
- Has the prime minister become more of a president?
- Roles and powers of the cabinet
- Choosing the cabinet
- Cabinet meetings
- Cabinet committees
- Roles of ministers
- Ministerial and Collective Responsibility
- CCR, IMR, and grounds for resignation
- Civil Servants and Special Advisers
- Can the prime minister and cabinet dictate events?

Topic 4- The Judiciary

- Role and composition of the Supreme Court
- Rule of Law
- Judicial Independence
- Judicial Neutrality
- Why have the judiciary recently been described as 'activist'?
- What has been the impact of the Human Rights Act 1998?
- Judicial Review
- Has the judiciary become too powerful?
- Has the judiciary become too politicised?
- The potential impact of Brexit

Topic 5- Devolution

- Different forms of power distribution
- How did devolution develop?
- Scotland
- Wales
- Northern Ireland
- Recent developments
- Existing devolution in England
- Impact of devolution on the UK
- Future devolution options
- Should the UK become a federal state?

- Has devolution undermined the Union?

UK Politics

Topic 1- Democracy and Participation

What is Politics?

- The political process is the process by which conflicts are resolved.
- This includes conflicts over;
    - Scarcity of resources
    - Ideological differences
    - Differences in approach
    - Divisions of labour and power
- Politics is therefore the activity of mediating between competing demands in society and the way in which power is divided between individuals, between individuals and the state, and between different institutions that make up the state.

What is power?

- Power is the ability to get someone to something they would not otherwise do
    - The ability to force someone
    - The ability to persuade someone
    - The ability to direct discussion towards your goal (Agenda Setting)

What is authority?

- Authority is the legitimate exercise of power
- Authority can be gained through several means but it is based in consent
- In a democracy this therefore comes through elections
    - Manifesto Mandate

Forms and functions of democracy

What is democracy?

- The term democracy comes from the Greek *demokratia*- union of *demos* (meaning the people) and *kratos* (meaning power)
- Literally it is **'rule by the people'** or **'people power'**
- ***'The process of government by which the government is held to account by the people of a country through elections.'***
- "Democracy is the worst type of government, but it's better than all the others we've tried." W Churchill

The evolution of democracy

- Originates from Ancient Athens
- Citizens voted on individual issues in order to make decisions
    - *Direct democracy*
- The citizens drew lots to decide who would administrate
- In his book *'The Republic'* the philosopher Plato argued that democracy wouldn't last
- In modern societies and nations direct democracy is no longer practical
- It has been replaced by 'representative democracy'
- This is where the people choose those who make day-to-day decisions
- In the UK this comes in the form of the election of MPs to the Westminster Parliament

- Direct democracy may still be possible over the internet
    - E-thenian Democracy

What are the differences between representatives and delegates?

- Direct
    - All people make decisions
    - The Executive are delegates based on the will of the people
    - Used in ancient city states
    - Increasingly common in liberal democracies
- Representative
    - Elected representatives make decisions
    - Representatives are 'Trustee Representatives', not delegate
    - Used on larger, more complex, modern democracies

What is the difference between representatives and delegates?

- A delegate always has to do as they are told
- A trustee representative is trusted to make decisions on behalf of the people
- MPs represent everybody in their constituency
    - Jeremy Corbyn represents everyone in Islington North
    - Ian Paisley represented Catholics just as strongly as Protestants

Functions of democracy

- Representation
    - There must be a means of the people being able to put their views to the government of the day
- Accountability
    - There must be a process by which the government of the day can be made to take responsibility for their actions while in power
- Participation
    - There must be a way in which people can engage themselves in the decision-making process. Without an avenue for participation the risk of frustration, instability, and potential violence increases
- Power Dispersal
    - There should be a system that ensures power is not held in too few hands
- Legitimacy
    - The process for the selection of the different branches of government should have legal authority and fairly represent the will of the people. In this way decisions can be made legitimately and with either the clear or tacit (unspoken) support of the people
- Education
    - The political process should be open to all who wish to take part in it. There should be an educated and informed citizenry who are able to understand the issues of the day and make informed decisions

<u>Development of the franchise</u>

What is the franchise?

- The franchise is the right to vote
- Those who hold the franchise are those who are eligible to vote
- Those with the right to vote are determined by legislation
- Therefore the franchise can be extended in a one-off piece of legislation
- Currently everyone over 18 has the franchise other than those disqualified
- This is known as *'Universal Suffrage'*

Franchise developments

- Before the Great Reform Act 1832
    - The right to vote was based on the amount of land owned
    - Only members of the upper classes could vote
    - Rapid changes came about due to the Industrial revolution and the subsequent increased pressure for reform
- Features of the Great Reform Act 1832
    - The qualifier for the franchise now became property rather than land
    - 300,000 more people could vote
    - Small increase in middle classes and industrialists
    - Only 5.6% of the population could now vote (20% of men)
    - Key feature was the reorganization of constituencies
- Key Extensions
    - The Second Reform Act 1867
    - Redistribution of the Seats Act 1885
    - Representation of the People Act 1918
    - Representation of the People Act 1928
    - Representation of the People Act 1969
- Key Groups
    - The Chartists
        - Mid-19th century
        - Universal male suffrage over the age of 21 (women were dropped due to middle class pressure)
        - Secret Ballots (brought in in 1872)
        - No property qualifications for MPs
        - Pay for MPs (to allow working class people to become MPs)
        - Equal constituencies
        - Annual parliamentary elections to provide the ultimate check on MPs
    - The Suffragists
        - Various movements united in 1897 by Millicent Fawcett
        - National Union of Women's Suffrage Societies (NUWSS)
        - Internally democratic with an elected president and decisions made by an elected committee
        - Open to men and women
        - Methods: writing letters, writing pamphlets and other publications, giving educational lectures, organizing petitions, holding peaceful marches and protests
        - More than 100,000 members by 1914
    - The Suffragettes
        - Frustrated by a lack of progress by the Suffragists
        - Women's Social and Political Union (WSPU)
        - Founded by Emmeline Pankhurst in 1903
        - Drew support from working class women initially
        - Female only membership
        - More direct action: disrupting political party meetings, chaining themselves to railings, smashing windows, attacking or fighting police officers, blowing up buildings, burning buildings, destroying post boxes, going on hunger strike in prison
- Modern Debates
    - Prisoner Voting
        - Criminals in the UK lose their right to vote during their incarceration (roughly 50,000 at present)
        - John Hirst has led the campaign to give some prisoners the right to vote
        - Activities
        - Supported more than 2000 legal challenges, produced articles, set up petitions, lobbied politicians
        - Aims
        - Extend the franchise to those serving under a 1 year sentence
        - Bring the UK into line with the European Convention on Human Rights
    - Arguments for prisoner voting
        - The denial o the franchise removes a sense of civic responsibility
        - There is no evidence that loss of the franchise is a deterrent

        - The right to vote is a fundamental right that cannot be removed
        - Removal of the vote makes a prisoner a non-citizen and further alienates them
        - The European Court of Human Rights has ruled that a blanket ban violates the ECHR
    - Arguments against prisoner voting
        - Those who commit a custodial crime against society should lose the right to have a say in how that society is run
        - The threat of losing the right to vote prevents crime and enhances civic responsibility
        - Giving convicted criminals the right to have a say in how laws are made would undermine the principle of justice
        - Prisoners are concentrated in certain constituencies where they are unlikely to remain once free. Therefore they should not be able to choose the local representative
    - Votes at 16
        - Not unprecedented
            - Channel Islands
            - Austria
            - Nicaragua
            - Brazil
            - Ecuador
            - State elections in Germany
            - Hungary (if married)
            - Slovenia (if employed)
            - Argentina
            - Scottish independence referendum
        - Votes at 16 is an umbrella group made up of
            - British Youth Council
            - Children's Rights Alliance for England
            - National Union of Students
            - Public Achievement
            - Scottish Youth Parliament
        - Methods
            - Adopt a lord
            - Encourage to email an MP
            - Suggestions on how to spread awareness of the campaign
            - Passing a model motion
            - Resources for schools
            - Engaging community groups
            - Planning a campaign
            - Advice on lobbying representatives

Participation

What are the different forms of political participation in politics?

- There are two majorly distinct forms of participation in the political process. These are electoral and non-electoral participation.
- A secondary area that can be considered as part of participation is 'traditional' forms of participation such as voting and joining a political party, and 'non-traditional' forms of participation such as engaging in discussions on social media and supporting a pressure group.

Electoral Participation

- Voting in a general election
- Voting in a second order election
- Canvassing
- Organising and attending election events and fundraisers
- Staffing campaign offices

Non-electoral participation

- Writing to an elected representative
- Meeting with an elected representative
- Being a member of a political party
    - This does not always involve election activities and therefore comes under non-electoral
    - Activities that stem from being a member of a political party can be included in electoral participation
- Engaging in a political protest or organised pressure group activity
- Discussing political issues

Evaluation when considering levels of participation

When looking at levels of participation is important to consider different features to evaluate the effectiveness of the data to hand. The most important elements to consider is the extent to which people may participate in pressure groups. It is clear that some people can be very involved in pressure group activity while at the same time some may simply pay their membership fees as a general show of support. The same can be said for political parties (this has been particularly highlighted within the Labour Party with the boom in membership since the summer of 2015).

<u>Is there a participation crisis?</u>

Yes

- Electoral participation
        - Mid 70s% as an average WWII-1990s
        - 2001- 59%, 2005- 61%, slight increase to 65, 66, and 69% in recent elections
    - Second order election turnout
        - EU elections average 30%
        - By-elections and local elections average 25-35%
        - Scottish Parliament elections roughly 50% (50% in 2011)
        - PCC elections; 12-14% average
    - Elections are the main method of participation and are the only time at which everyone participates on an equal basis
    - Low turnout can also limit legitimacy- Labour's landslide majority of over 60 in 2005 was achieved with only 26% of potential voters
    - Extremist parties benefit as they have a more committed support base
- Party membership
    - Despite the increase in Labour membership since 2015 to just under 600,000 party membership has been in decline since WWII
    - 1950s: Cons, 3 million; Lab, 1 million
    - Disillusionment with traditional parties
    - Difficulties for parties

No

- Increasing turnout
    - Turnout increasing at general elections since 2001 while major referendums have seen high turnout
        - EU Ref- 72%, Scottish Ref- 85%
    - Turnout is larger than in the past and the number of voters has increased
- More parties
    - There is increased choice for voters with the share of the vote for the two main parties declining over the last 20 years
- Pressure groups
    - Pressure groups membership has increased dramatically as people have now looked at single issue campaigns rather than identifying with a party
- Social campaigns
    - Social media has transformed politics and the way in which people share information
    - Facebook has a 71% market share and is used by a huge range of different groups
    - Online petitions regularly reach the required threshold of 100,000 in order to be debated in Parliament

Rights and Responsibilities

What are rights?

- Human Rights (Natural Rights) are those rights and freedoms that you are entitled to by virtue of being human
  - Absolute- cannot be compromised
  - Universal- applied to everyone equally
  - Fundamental- an essential part of life
- Positive and Negative freedoms
  - The most important factor in political beliefs

Development of UK rights

Magna Carta 1215	Imposed restriction on the power of the monarch
Bill of Rights 1689	Greater limits on the monarch and set out the rights of parliament.
ECHR 1953	Signed in 1950, this meant that government actions had to comply with this human rights doctrine and could be challenged in European courts.
European Court of Justice 1973	Part of the EEC. The ECJ had the power to protect workers' rights in the UK.
Data Protection Act 1984	Established protections surrounding personal information held by public institutions
HRA 1998	Codified the ECHR in UK law. It allowed to UK citizens to sue for their rights in UK courts.
Freedom of Information Act 2000	Ensured political transparency by allowing citizens to access any non-security related information held by public institutions.
Equality Act 2010	Consolidated all anti-discriminatory laws into one document.

Civic Responsibilities

- With rights come responsibilities. These are duties a citizen is expected to perform, or abide by, in return for the rights granted to them
- Key UK citizen responsibilities
  - Respect and obey the law
  - Pay taxes
  - Ensure you don't act in a way that would cause harm to others
  - Show respect for parliament and government institutions
  - Vote
  - Serve on a jury
- Thinkers like John Stuart Mill believed civic responsibilities were integral to civil rights

Conflicts over rights

- Since 1997 there have been a growing number of conflicts between government and the judiciary over rights
- Reasons
  - HRA gave judges more power and encouraged more citizens to sue for their rights
  - The government's response to terrorism
  - A perception that ministers are attempting to expand their powers at the expense of rights
- 5 Significant Conflicts
  - Anti-terrorism
  - Deportation

- Detention
- Free Speech and the right to protest
- Anti-social behaviour

Who best defends rights?

- Judges
  - Strengths
    - Judges exercise the rule of law and use the HRA 1998
    - Enhanced judicial independence since the CRA 2005
    - Judicial neutrality is key to the entire concept of the judiciary
  - Weaknesses
    - Judges are undemocratic and unaccountable
    - Senior judges work with parliament to advise on legislation
    - Parliamentary Sovereignty means the government can overrule the judges
    - Judges are unrepresentative
- Parliament
  - Strengths
    - Parliament is the voice of the British people
    - Parliament is more representative than the judiciary
    - Parliament introduced and passed all human rights legislation
    - MPs represent their constituents and can raise citizen issues
    - Parliament is accountable to the people
  - Weaknesses
    - Short-term political concerns
    - Parliament can suspend or change the HRA 1998
    - Parliament is usually dominated by a single governing party
    - The House of Lords undermines the democratic argument
    - MPs may be reluctant to challenge a scared population in order to defend human rights

<u>Is the UK a liberal democracy?</u>

What are the key elements of liberal democracy?

- Guaranteed civil rights
- Democratic method of changing government
- 2 central themes
  - Representative democracy
  - Responsible government
- John Locke's Contract Theory
  - Contract- a two party agreement in which both sides consent to certain terms and conditions.
  - Deal, Agreement, Bargain
  - An agreement between government and the people
  - The government protect civil rights and the people respect the law
  - If the government violates human rights the people reserve the right to get rid of them
- Government by Consent
  - Manifesto Mandate Principle
  - Manifesto- promise that the party make before the election
  - Mandate- from the Latin 'mandatum' meaning 'orders'
  - The winning party has the permission of the people

Arguments for the UK being a liberal democracy

- Free and fair elections
  - Wide number of elections free from government interference. Conducted by the Electoral Commission. Regulations such as spending limits and a ban on campaigning during purdah. Broadcasting restrictions
- Turnout
  - Turnout has increased since 2001 (EU Ref 72%, Scott Ind 85%, 2017GE 69%)

- Universal suffrage
- The party system
    - 8 currently represented in the House of Commons- opportunities for representation for a wide range
    - Parties drive public education in politics
- Pressure Groups
    - Opportunities for non-electoral participation
    - Mouthpiece for minority interests
    - Investigate, develop government policy, represent groups that might be missed out
- Parliamentary Sovereignty
    - The chosen representatives of the people are the ones with ultimate authority to make decisions (indirect consent)
- Devolution
    - Decisions are made at the most local level possible

Arguments against the UK being a liberal democracy

- Unelected elements
    - Monarchy, House of Lords (no accountability/consent)
    - Only restricted fully by convention
- Turnout
    - Significant decrease since the 1950s (1997 was the lowest at 71%)
- The West Lothian Question and EVEL
    - Issues with devolution and two-tiers of MPs
- The voting system
    - Flaws with FPTP
        - Wasted votes, safe seats, unrepresentative, 30% bonus, discriminates against parties with widespread support, minority constituencies, 2 party system
- Lack of meaningful choice
    - 2 party system
- Elitist pressure groups
    - Insider status, size of membership, wealth, public profile
- Weakness of the Electoral Commission
    - Reactive rather than proactive, 2015 spend limit offences not fixed before the 2017 election
- Lack of entrenched rights and Parliamentary Sovereignty
    - Parliament is the ultimate authority and so can remove rights or ignore judges' rulings

<u>How do different groups vote?</u>
Regions

- Scotland
    - Traditionally left-wing
    - Post-industrial major cities traditionally dominated by Labour but now SNP
    - Increasingly Unionist v Nationalist
    - Opposition to London-centric policies
    - Devolution has led to increased SNP support
- Wales
    - Heavily Labour in the South, Valleys, and north-east
    - Strong Conservative support in rural areas and Snowdonia
    - Plaid Cymru successful in western regions
- Northern Ireland
    - Has its own party system
    - Unionist v Nationalist
    - Protestant v Catholic (traditionally)
- London
    - Comfortable Labour majority
    - Pockets of affluent Conservative support
    - Large levels of ethnic diversity
    - High rates of poverty and urban decay
    - More socially liberal
- Rural England

    - Overwhelmingly Conservative (common worldwide)
    - Mostly white population lacking diversity
    - Wealthy
    - Generally tends towards being older and more socially conservative
- Industrial northern England
    - Historic Labour influence
    - Strong working class communities
    - De-industrialisation has led to unemployment leans to Labour and strongly against Conservative policies of the 1980s
    - Recent immigrants tend to vote Labour
- The Home Counties (South-East England)
    - Largely Conservative
    - Populated largely by wealthy commuters
    - Mostly limited in ethnic diversity
    - Generally more socially conservative than London itself

Changes in class voting

- Post-war
    - Party ID a strong feature
    - Elections determined by a small group of floating voters in key marginal constituencies
    - There was a generally uniform swing of voters between the main parties
    - The two main parties dominated
- Recent trends
    - Party ID declined from the 1970s
    - Labour lost its traditional working class supporters as manufacturing left the country
    - Many working class voters turned to the Conservatives in the 1980s (aspirational voting)- Embourgeoisement
    - By the early 90s Labour was a party of the working class but the working class was not a class of Labour
    - The Labour Party under Blair made moves to appeal more to the middle classes
- Class Dealignment
- Partisan Dealignment

Social Class and Voting Behaviour

- Once seen as a key determinant of voting behaviour
- Generally now seen as being in decline
- In the UK class is determined largely by occupation, background, education, income, and wealth
- When considered regionally this still holds with people in the South-East being more likely to vote Conservative while the further you get away from London, the less likely they are to vote Conservative
- In recent elections class voting has been weaker than ever
    - 1997-2005 saw a dramatic shift of the middle classes towards the Labour Party, largely due to the New Labour project
- 2017
    - The conclusion of the shift?
    - Working class voters supported the Conservatives by a narrow margin
        - C2: 47-40
    - Middle class voters supported Labour by a narrow margin
        - C1: 43-41
    - Education appears to have become the new divider

Ethnicity, Gender, and Age

- Gender
    - Traditional gender gap
    - Women traditionally voted Conservative
    - Since the 1990s Labour made significant gains and now slightly more women vote Labour
    - Younger women are more likely to vote Labour than older women

    - Men vote slightly more for conservative parties
    - Recent concerted efforts by politicians on gender equality
        - Labour's pink battlebus 2015
        - Conservatives and Lib Dems pushed for greater women's equality in 2014
        - Labour 2017- committed to a gender impact assessment on all policies and legislation
    - 2015
        - Women backed the Conservatives 37-33 but by a smaller margin than men (38-30)
    - 2017
        - Women split evenly between Labour and the Conservatives (43-43) while men supported the Conservatives (45-39)
- Age
    - The Conservatives have long performed better among older voters than Labour
    - Younger voters are generally seen as being more in favour of Labour's greater level of idealism and collectivism
    - For every ten years older a person is the likelihood they will vote Labour decreases by 9 points
    - 2017
        - The dividing line was 50, significantly higher than 2010 and 2015 where it had been in the late 30s
    - Older voters are much more likely to vote
        - 70+: 84%
        - 18-24: 58%
- Ethnicity
    - Ethnic minorities traditionally vote as a majority for Labour
    - Social class tends to dominate ethnicity
    - Those in higher social classes are more likely to vote Conservative
    - Labour lost significant amounts of support among Muslim voters in 2005 following the Iraq War
    - Labour has regained significant amounts of this support since
    - 2015
        - White: Con 39, Lab 28
        - BME: Con 23, Lab 65

Turnout

What is turnout?

- One way to participate in politics is to vote.
- Levels of turnout are an important measure of political participation.
- Low turnout is a problem because it brings into question the government's legitimacy and the strength of the electoral mandate.
- E.g 2005 Labour gained a majority of 65 seats with the support of 35.2% of the 61.4% of the eligible voters.

  This is 21.6% of the voters.

Why does turnout vary?

- Type of election
- Apathy
- Hapathy
- Relative value of the vote
- The type of electoral system
- The mass media
- Weather- *1 inch of rain = 1% drop in turnout*
- Competitiveness

Why has turnout decreased in recent decades?

- Hapathy
    - 2010 and 2015 saw a rise after the economic crash. (E- not back to previous levels)
- Competitiveness
    - 2010 and 2015 saw a rise with a more competitive election. (E- not back to previous levels)

- Leadership
    - Lack of inspiration. 2015- Cameron +3, Miliband and Clegg both negative (E- Major was certainly not inspirational and won more votes than any other Prime Minister in 1992)
- Apathy

What causes apathy?

General

- Lack of trust
- Belief in similarity
- Scandals and sleaze
- 'One vote doesn't make a difference'
- Strong Party ID and belief that a party is "rubbish" result in people not voting rather than switching
- Youth
- Safe seats- *Manchester Central 44%*
- Lack of marginality
- Disillusionment among ethnic minorities due to poor representation
- Lack of political and citizenship education
- Feeling of powerlessness
- Alienation/Disenfranchisement

Recent and 2015

- Traditional Labour voters have felt isolated by policy- *since the change in party policy under Tony Blair in the 1990s*
- Poor leadership fails to inspire- *Cameron, Miliband, Brown, Clegg 2015*
- 19% of people felt the Conservatives were on the side of regular people
- Lack of inspirational language
- Even people who are interested think the media makes it sound boring
- Growth in individualism- *since the 1980s British society has focussed more on the individual than on the collective society*
- Voters were confused over a lack of clarity and belief that there would be a coalition- *many also put off by the experience of the last coalition*

2010

- 6% of non-voters trusted politicians
- Turnout lowest among ethnic minorities, people who do not own their own homes, and people on low incomes
- Age Gap
    - 18-24 v 65+ = 40%
    - Doubled since 1987
- Income Gap
    - Low v High = 23%
    - From 4% in 1987

Who participates and to what extent?

- In most established democracies the level of participation is considered to fall well below the ideal
- Beyond voting other forms of participation are sporadic at best
- Many voters are ill-informed on political issues with large numbers in Britain able to name their MP, MEP, or local councillors
- There are considered to be three types of political involvement
    - Gladiators- those that are deeply committed
    - Spectators- the large majority that observe and limit their participation to voting
    - Apathetics- non-participants who do not engage with the process
- Party membership has been in decline since the high point of the 1950s
    - 1951: Con, 2.9m; 2011: Con, 170,000

    - Since the election of Jeremy Corbyn Labour membership has doubled (though this may fall back again in the coming years)
- While participation in traditional forms has fallen off in recent years there has been a definite increase in the number of people involved in pressure groups
- The rise of social media and the internet has also meant that many young people now engage in the political process online and away from the older, traditional forms of participation that are normally measured by academics and commentators

Explaining voter choice

Models

- Party ID
    - People learn their political attitudes from settings they grow up in such as families and schools
    - This involves a psychological connection to the party supported
- Sociological
    - Social characteristics influence participation such as social class
    - Traditionally the middle and upper classes supported the Conservatives while the working classes supported Labour
- Rational Choice
    - Voting decisions are based on decisions made logically by rational actors who examine the different parties or candidates they could vote for before making an informed decision
    - Issue Voting
        - People compare the policies of different parties before making their choice
    - Valence Issues
        - Where there is general consensus between the parties (valence issues) people vote based on their views of competence and trust
- Dominant Ideology
    - Individual choices are influenced by media misrepresentation
    - The media in effect determines the agenda for discussion and influence voters towards voting for candidates and parties that support the dominant view

Determinants of Voting Behaviour

- Party ID and loyalty
- Social Class
- Other factors relating to social structures
- The economy
- Leadership qualities
- Impact of the mass media
- The campaign
- Events leading up to the election
- Issues
- Party Image

Party Image

- Conservatives- the nasty party
- Labour- “Dogs bark, cats meow, and Labour tax and spend.”
    - Economic competence
- Lib Dems- can’t be trusted (post-2010)
- Party infighting
- Many people do not have the time nor the inclination to research party policies and so vote on their ‘gut feeling’ about a party

Education

- At the last election education emerged as the primary factor in predicting which way an individual would vote
- Class barriers broke down (as they had gradually been doing for 50 years)
- The higher the level of education a person received the more likely they were to vote for a left wing party

The Economy

- Long-term
    - Largely based on overall impressions
    - Economic reputation/perception of economic competence
    - Swings based on major events
    - Conservatives led until Black Wednesday and the 1992 recession
    - Labour led until 2009
- Short-term
    - "It's the economy stupid." Bill Clinton 1992 campaign
    - Feeds into current issues
        - Jobs
        - How much are people earning
        - Inflation
        - Do people think things are improving, or getting worse
        - "Are you better off than you were four years ago?" Ronald Reagan re-election statement 1984
        - Almost all elections are won and lost on the government's economic record

Policies and the manifesto

- Classical rational choice theory
- Voters consider the parties' policies and make their decision based on them
- How do the parties' policies relate to voters' concerns?
    - 2015- Conservative focus on the economy was the number one issue
    - 1983- Labour's manifesto dubbed 'The longest suicide note in history.'

Key Issues

- Elections aren't a fight over the answer to a question. They're a fight over the question itself
- Each party tends to have an area where voters see it as more effective
    - Conservative- Economy and Immigration
    - Labour- Health and Education
- Parties have to tailor their message to what the people are concerned about
- 1997- "Education, education, education."
- 2001- "Save the pound"
- 2015- "Sorry, there's no money left."

Campaigns

- The quality of the campaign has a major influence on people's perceptions of the parties
    - Mostly if the leaders are not especially well known
- A poor campaign will tend to lose people's confidence, while a strong campaign can dispel impressions of weakness and inefficiency
- 2017
    - "Strong and Stable" v "The Maybot"
    - Labour's efficient campaign
    - 1997
- Not always the case
    - 1987- Labour ran a highly praised campaign and there was a lot of optimism but The Conservatives' record in government meant they were soundly beaten
- Recent Elections
    - Rise in the number of floating voters/swing voters

    - Denver analysis of 1992 showed that only 61% had made up their minds before the short campaign (21% in the last week and 6% on the final day)
    - Campaigns run for months but the official or 'short campaign' lasts between 4 and 6 weeks
    - This is the point at which Parliament is officially dissolved
    - 2001 the campaigns appeared to change little with little interest in turnout or coverage
    - 2010 and the rise of debates
    - The campaign became dominated by the debates between the 3 leaders
    - 2015- debates and interviews continued to be the discussion points
- Purposes of Campaigns
    - Reinforce the views of those who are already committed
    - Recruit the undecided
    - Convert other parties' waverers
- Target Voters
    - Campaigns are targeted at marginal constituencies
    - Recent elections have seen the campaigns focus on 70-100 seats due to funding
    - "There are 7.4m voters in the target seats, but it will be 838,000 who decide the election." Conservative activist speaking in 2005
    - Polls have remained fairly stable through the last few elections
    - Major movement came after the first 2010 debate with Nick Clegg's performance moving the Lib Dems up above Labour in the polls
    - In the end the voting returned largely to where it had been before the election
- Opinion Polls
    - Polling began in 1938
    - Random sampling (electoral register) and quota sampling (face to face interviews)
    - Issues with polling
    - Winning margins 2001- Rasmussen 11%, MORI 17%
    - Inaccuracy of the 1992 poll
    - Exit polling generally accurate
    - 2015 saw much criticism of the polling systems
    - Problems often stem from undecided not being included in the published figures
    - Very accurate up until the 1970s
    - Still seen as important
    - Parties use them to craft their message and target voters and areas
    - "I don't look at the polls." = Total Lie
    - Parties run their own internal polls
    - PMs used to use polls to decide when to call an election
        - Callaghan 1978, Brown 2007
    - Bandwagon Effect
    - Boomerang Effect

Performance in Office

- Economic and valence issues theory
- Focused on who they think will be the best in office
- Partially judged on past performance in office where this is relevantly recent
- If the economy does well the government is rewarded with another term (usually)
- 2015- The Conservatives were given credit for stabilising the economy as Labour received the blame for the 2008 recession on the principle that they had spent too much money while in office

Leadership

- General elections are heavily focused on which party leader the electorate want to be Prime Minister
- May seem strange given the fact that the election does not directly elect the Prime Minister
- Growing influence of the media
- Rise of spatial leadership
- Voters who decide on who to vote for late often do it on the basis of who they are comfortable with being Prime Minister (do they want continuity or a change)
    - 1992
    - 2015

Events before the election

- Events in the months leading up to the election or during the campaign itself can have a major impact on the voting behaviour of the increasingly large group of voters that decide late
- Trivia section of the message board
- Winter of Discontent 78-79
- Tory sleaze 94-97
- Economic upturn 2015
- *Iran Hostage Crisis 1980 (USA)*

Tactical Voting

- The electoral system means that campaigns (locally or nationally) are normally between 2 (or very occasionally 3) candidates/parties
- People who support a party outside the competitive ones in a seat face a choice
    - Vote for the party they support and have no impact
    - Vote tactically to get the least worst option
- 2010 Lib Dem poll collapse
- 2017 talk of a progressive alliance
- This happens all the time

Mass Media

- Print Media
    - Traditionally newspapers were the major media influence on people's thinking
    - There is a great deal of power in the hands of owners and editors
    - Newspapers such as the Sun and Daily Mail have circulations of over 2 million and online newspapers are followed by large numbers
    - Bias is a significant issue with print media
    - There is no need for impartiality and therefore newspapers actively support different parties at elections
    - 'It Was The Sun Wot Won It'- Sun headline from after the 1992 general election
    - The Sun also produced a front page in 2015 that was heavily critical of Ed Miliband
- TV
    - Many current affairs shows such as Newsnight and Question Time
    - Host TV debates during elections since 2010
- Debates
    - Have traditionally not altered voting behaviour for the main parties to any great extent
    - The main impact has been on smaller parties
        - Lib Dems 2010
        - SNP and UKIP 2015
    - Studies have shown that more people are influenced by TV and broadcast debates than by newspapers
- The Internet
    - Difficult to accurately determine its influence due to its constant evolution
    - Has been a quick way of spreading information
    - Gaffes are now widely known very quickly and can gather speed as content creators make additions to them for their audiences
    - Politicians now use them as an attempt to show themselves with a more human face –WebCameron
    - Online news has increasingly become the main source for millennials
    - YouTube has grown with increasing speed- Miliband and Russell Brand (2015)
    - The Internet, like all forms of media, has the potential to simply reinforce existing views as people seek out views that mirror their own
    - Importance of social media to boosting Labour in 2017

<u>*Case Studies*</u>

You should make sure that you are aware of the details of the elections studied in class
You should make sure to be aware of the following in relation to these elections:

- patterns of voting behaviour/changes over time – as revealed by relevant national data sources, and explanations of how and why they varied in different elections
- the influence of the media on the outcomes
- the reasons for and the impact of party policies on the outcomes
- the reasons for and the influence of manifestos on the outcomes
- the impact of campaigns and leadership on the outcomes
- the role of elections and their influence on policy and policy making
- likely effects of the electoral system on the party system

Topic 2- Elections and Direct Democracy

Functions of elections

- Representation
- Choosing a government
- Participation
- Influence over policy
- Accountability
- Citizen education
- Legitimacy
- Elite recruitment

Types of electoral systems

- Majoritarian
    - 50+1 to win
    - AV, SV
- Plurality
    - Most votes wins
    - FPTP
- Proportional representation
    - % of seats + % of votes
    - Regional List, STV (not purely proportional)
- Hybrid Systems
    - A combination of different systems
    - AMS

Positives and negatives of different systems

FPTP Positives

- Simplicity
- Clear Outcome
- Strong and stable government
- Responsible government
- Effective representation

FPTP Negatives

- Disproportionate outcomes
- Majority support is not usually the result
- Votes are of unequal value due to safe seats
- There is a lack of effective choice as only two parties usually have a chance of winning
- It creates divisive or adversarial politics

AV Positives

- Representatives are elected by a majority of their constituents
- The winning candidate must achieve broad support
- The link between representatives and their constituents is retained as there are single member constituencies
- The 'spoiler effect' is reduced

AV Negatives

- It is not a proportional system- Labour would have won a bigger majority in 1997, as would the Conservatives in 2015
- The candidate that secures most votes may not be elected meaning it is the least unpopular, rather than the most popular that wins
- The second preferences of people who vote for small and extremist parties count for more than those who vote for major parties

SV Positives

- The winning candidate must achieve broad support
- The second preferences of voters who supported minority parties are not counted- only those second preferences going to major parties count

SV Negatives

- The winning candidate does not need to get a majority of first preference votes- it is the least unpopular that wins
- If used for general elections, it would not produce a proportionate outcome

Regional List Positives

- There is a high degree of proportionality. The larger the region, the more proportional the outcome can be.
- Political parties can use their lists to ensure that a greater proportion of women and ethnic minorities are represented in the result

Regional List Negatives

- In a closed list the parties control candidate selection. It is impossible for voters to vote out a single candidate, and this in turn creates the possibility that the candidates represent the party rather than the people
- Parties can favour candidates that favour the leadership and thus make the parties themselves less democratic
- The link between representatives and constituents is weakened in large multi-member constituencies

STV Positives

- It has a good record of delivering proportional outcomes, and ensures that votes are largely of equal value
- Only a party or group of parties that wins more than 50% of the popular vote can form a government
- Voters can choose between a large range of candidates
- Candidate selection is largely handed to the voters rather than the parties
- It maintains local representation
- It ensures a wide range of views are represented at a local level (Northern Ireland)

STV Negatives

- The system is less accurate in translating votes into seats than list systems or some versions of AMS

- It uses larger multi-member constituencies that can weaken the link between representatives and their constituents
- It is likely to produce a coalition government that may be unstable and can give disproportional influence to minor parties that hold the balance of power
- Accountability in coalitions is unclear

AMS Positives

- It balances the desirability of constituency representation with that of fairness in election outcomes
- Results are broadly proportional and votes are less likely to be wasted
- Voters have greater choice due to split-ticket voting where they can support one party for the constituency and one for the regional list

AMS Negatives

- It creates two categories of representatives, one with constituency duties and one without. This has caused some tension in the Scottish Parliament
- Parties can have significant control over the make-up of their list candidates
- Smaller parties can still be significantly underrepresented

What have been the impacts of the new electoral systems?

- Greater proportionality (though not perfect)
    - Conservatives winning a proportional number of seats after AMS in 2003 in Scotland having won disproportionately few in the constituency vote
    - Deviation from proportionality
        - FPTP- 20.6%
        - STV- 7.1%
        - AMS- Scotland 10.5% Wales 14.8%
- Multi-party systems
    - Growth in importance of the SNP. Greens and Conservatives in Scotland
    - Power sharing in Northern Ireland
- Minority and coalition governments
    - SNP minority 2011
    - Coalitions each year in Northern Ireland
    - STV- 4/6
    - AMS- Scotland: 4/5, Wales: 5/5
- Split-ticket voting
    - People voting for potential winners in constituency seats and for the party they support in the list vote
- Increased complexity
    - 146,000 ballots filled out incorrectly in Scotland in 2007
- Constituency links create tensions with regional members
    - Different levels of representatives in Scotland and Wales due to AMS
- Low turnout
    - Turnout is lower though it is impossible to say whether this has been caused by new systems as these assemblies have never been elected in any other way as a point of comparison
    - Mean since 1997
        - FPTP- 65.4%
        - STV- 61.8%
        - AMS- Scotland 53.4%, Wales 43.1%
- Extremist parties have gained seats
    - BNP EU 2009 (2 seats)
- Voter choice is restricted in the closed list systems
    - Concerns over the UKIP lists in Wales in 2016 as unpopular candidates are put at the top of lists (Neil Hamilton)

Positives of Coalitions

- Strong governments can ride roughshod over parliament
- Coalitions provide more stability and continuity without lurches from one side to the other which make it difficult for business to effectively plan ahead
- The small party in the coalition has a moderating influence on the more extreme tendencies of the larger parties
- Policies are based on the support of a larger base of the population
- Coalitions are about working together and compromising rather than having adversarial conflict

Negatives of Coalitions

- Forming coalitions is difficult and slow
- When coalitions are formed the policy plan put in place is agreed behind closed doors and not in an open democratic forum
- Major policy positions that are popular may be shelved
- The third party that helps form the coalition may not be voted out of office because it always holds the balance of power
- No-one votes for the coalition, they vote for the parties. To say that 60% of people voted for a coalition when 40 supported one party and 20 supported the other is simply not true

Referendums

What is a referendum and the UK experience?

- An example of direct democracy
- A vote where the people decide on one issue
- Have been used in the Republic of Ireland to legalise divorce (1995) and in Greece to reject austerity measures (2015)
- Generally are based on a 'Yes' or 'No' response
- Clement Attlee (PM 1945-51) described referendums as "tools of demagogues and dictators"
- "a device so alien to all our traditions."
- Based on seeing European dictators use them before WWII
- In the modern era it can be argued that they enforce a "tyranny of the majority"
- Referendums were not a feature of British Politics until the 1970s
- The UK was essentially a representative democracy

Key UK referendums

- 1973- Should Northern Ireland stay in the UK?
- 1975- Should the UK stay in the EEC?
- 1997- Scottish and Welsh devolution
- 2011- Should AV be used for general elections?
- 2014- Should Scotland be an independent country?
- 2016- Should the UK remain in or leave the EU?

Should the UK use more referendums?

Yes

- They cause an increase in political participation
- The manifesto mandate theory is flawed as major issues occur between elections and change the political landscape
- Referendums can unite a divided party such as Labour with the 1975 EEC referendum
- Referendums settle an issue under discussion such as Scottish independence and UK membership of the EU

No

- Issues involved in referendums are too complex for ordinary citizens to understand as they do not have time to fully research all the implications of their choice
- They are just a snapshot in time
- Too many lead to apathy
- Funding and the media have too much influence
- They do not carry the force of law
- Low turnouts give too much emphasis to the extremist vote
- They tend to only be used when a result is known

Topic 3- Political Parties

Introduction

What are political parties?

- A group of like-minded people who work together to win elections and control the government *(which distinguishes them from pressure groups)*. Political parties compete against one another for political power and for the ability to put their ideologies and policies into effect.

What type of political parties are there?

- Mainstream parties such as Conservatives and Labour
- Nationalist parties who look to nurture their shared identity and culture in a geographical area.
    - SNP, Plaid Cymru, BNP
- Single-issue parties
    - Green Party, Pro-Life Alliance

Roles of political parties

- **Representation** – Of their membership and of society as a whole *(PLP v Labour Membership)*
- **Recruitment –** Parties providing people to be MPs and frontbenchers *(David Cameron was given a job as a researcher when he left university in the office of the Chancellor of the Exchequer- who was then a Conservative. He worked in the party for just under ten years before becoming an MP in 2001)*
- **Participation** – By joining a political party people are becoming actively involved in Politics *(direct to declining numbers of people in parties)*
- **Governing** – By winning a general election a party will provide the country with leadership
- **Policy Formulation** – A party's ideas, through its' manifesto, will be put into operation *(Is this through the leadership or the ordinary party members? Does it matter?)*
- **Electoral Function** – Parties put forward and support candidates at election time *(Parties fund and support candidates. Do they limit choice by only selecting one candidate per seat from within their ranks?)*

The Party System

One Party

- One party dominates
- Other parties are banned
- The single party exercises total control over candidacy where elections occur
- Nazi Germany, North Korea

Dominant Party

- A number of parties exist
- Only one holds government power
- Limited effective opposition
- Japan 1955-1993
- Arguments that the UK has resembled this
    - Conservatives: 1951-64 and 1979-97
    - Labour : 1997-2010
    - Labour in Scotland 1945-2007

Two Party

- Two parties dominate the government
- These parties exchange power but are never replaced by parties outside of this established elite
- USA: The last time the Democrats or Republicans did not win power was the 1850s
- UK: Labour and the Conservatives have been the dominant parties of government since the 1920s. Before that it was the Conservatives and the Liberals

Two and a half party

- Two parties dominate the government
- There is a third party which polls a significant share of the vote and holds a degree of power in the legislature
- The third party are involved in coalitions with the major parties
- UK: 1992-2015, Lib Dems held significant power, won between 15 and 20% of the vote, and eventually formed a coalition with the Conservatives
- UK: do any parties fit this definition for the significant third party today?

Multi Party

- Many parties compete for power
- The government consists of a number of coalitions
- Coalitions are formed by a number of different combinations of parties
- Italy: 1945-93, Northern Ireland: 1998-present
- Are we beginning to emerge into a multi-party era?
    - There are several coalition combinations possible
    - Over 30% of the electorate did not vote for the two main parties in 2015
    - Devolved government has introduced formerly minor parties into governmental roles on the regional level

What kind of party system does the UK have?

- Two Party- only two parties can lead the government
- Two Party- the leading two parties dominate the seats in Parliament
- Two Party- the leading parties dominate the votes won in general elections
- Two and a half party- there has consistently been a third party that has the potential to hold the balance of power
    - Normally this counts for there being roughly 10% of the seats in the Commons and 15-20% of the vote
    - Neither the SNP nor UKIP have both of the usual conditions (can either be counted as a true major third party)
- Multi Party- The biggest three parties won just 80% of the vote
- Multi Party- There has been significant movement in which parties win in which parts of the country

The Conservative Party

- Conservatives
  - Small c conservative is generally against change or at the most for small change
  - Edmund Burke- the father of the modern conservatism
  - "Change in order to conserve."
- History of the Conservative Party
  - Founded in the 1820s by Sir Robert Peel
  - One of the two major parties (along with the Liberals) through the 19th and early 20th century
  - Held power for 57 years as a majority in the 20th century
  - Traditionally held together by the twin pillars of business and patriotism
  - Key figures since WWII- Churchill, Harold Macmillan, Edward Heath, Margaret Thatcher, Geoffrey Howe, Nigel Lawson, John Major, Iain Duncan-Smith
- Key Conservative Groups
  - One Nation Tories
    - More left wing members of the party
  - Thatcherites
    - Followers of the Thatcherite New Right philosophy on economics
- Thatcher
  - Moved the Conservatives to the right on the economy gradually introduced an increasingly Euro-sceptic element into the party
- John Major was a more moderate figure than Thatcher
  - Weakened by the 1992 ERM Crisis
  - Divisions over Europe
  - Scandals
- The Tories performed very poorly as an opposition party through the late 90s and early 2000s
  - Hague, Duncan-Smith, and Howard made little impact on Labour, even when the government made unpopular decisions
  - Hague lost in a landslide, Duncan-Smith only lasted two years, Howard saw the Labour majority shrink but mostly due to a loss in Labour support rather than a Conservative revival
  - Mostly due to the hard right policies that all three pursued that were negatively associated with Thatcher and Major
- Cameron 2006-present
  - Cameron's election (2006) was seen as a key moment as the ordinary members saw the need to appeal to the wider public
  - Looked to move the Conservatives to the centre- New Tories, Liberal Conservatives
  - "The heir to Blair"
  - Struggled early on and by summer 2007 it looked like he might be replaced

The Labour Party

- Labour History
  - Founded in the 1900s out of the labour movement which included the Trade Unions
  - Initially on the far left of British Politics
  - Many moderate voices in the early party
  - Launched a constitution with a commitment to nationalisation in 1919
  - First majority government formed in 1945 after WWII. This went on to nationalise several key state industries
  - Voted out of government in 1979 for the last time as an Old Labour government
- Labour in the 1980s
  - The left and right of the Labour party began a major struggle that tore the party apart
  - When the left took control several members on the right of the party left to form the SDP
  - The policies of the left were roundly rejected in the 1983 general election with a manifesto dubbed "the longest suicide note in history"
  - Following this Neil Kinnock took the leadership and began to modernise the party
  - Kinnock was defeated in 1987 and 1992 though his programme of reforms was taken up by John Smith and then Tony Blair
- New Labour 1994-2010
  - Aimed at bringing Labour to the centre ground of British Politics
  - Saw a major shift to the right of Labour Party

    - Led by Tony Blair and Gordon Brown
    - Won landslide victories in 1997, 2001, and 2005
    - Labour's record in government was damaged by the Great Recession and they went on to lose the 2010 general election
- Post New Labour
    - The group of candidates that stood for the leadership in 2010 were largely products of the Blair-Brown Era
    - New Labour was seen as being finished however
    - Candidates looked to move back towards 'traditional' Labour values
    - "Next Labour"
    - Miliband was elected in 2010 by a slim majority over his brother
    - This caused him problems from the start as people felt he had betrayed him
    - Elected largely with the support of the Unions in Labour's electoral college
    - More left wing than his brother
    - Based on the traditional Conservative idea of 'One Nationism'
    - Miliband announced this direction in the run-up to the 2015 election
    - Miliband's many missteps got in the way of any positive reaction the message could have had
    - A push to make the NHS and inequality in the economic recovery the centre of the campaign
    - Labour's association with the Great Recession still harmed the party
    - Audience interviews often brought up the economic issue and the deficit
    - Cameron campaigned with a letter left by an outgoing Labour minister from 2010 which read "Sorry, there's no money left."
    - Labour's centrist approach also harmed them in their traditional working class base of Central Scotland (this was also caused by support for union in the 2014 referendum)
    - In the end, despite close poll ratings up to the final day, the electorate decided that they simply did not trust Labour and Miliband with the economy
- Corbyn's Labour
    - Certainly a return to the Old Labour leadership direction
    - Nuclear disarmament, nationalisation of infrastructure, fiscal policy
    - Less confrontational and more open to discussion within the party
    - Could it be any different?
    - Several disagreements with the PLP (Parliamentary Labour Party)
    - Significant increase in membership in the immediate aftermath
    - Equivalent to total Conservative membership in less than a month
    - How long will Corbyn remain leader?
    - Does the election of Tom Watson as deputy mean the right has lost the party membership?
    - Can Labour win a general election with Corbyn as leader?

<u>*Minor Parties*</u>

What is the value of minor parties?

- They take up causes neglected by other parties
    - Green Party, Pro-Life Alliance (1997-2001)
- They air certain grievances not being taken up by traditional parties
    - SNP and Plaid Cymru, UKIP
- They act as a haven for protest voting
    - Traditionally Lib Dems, move to SNP and UKIP
- At times they may influence the outcome of the elections
    - Lib-Lab Pact
    - 2010 coalition
    - Historic division of the Left

Liberal Democrats

- Formed by a merger of the Liberals and the Social Democratic Party in the late 1980s
- The Liberals had been the major party of the left until the 1920s but became a minor party after WWII
- The SDP was formed by a group of centrists from Labour and the Conservatives in the early 1980s

- Under the leadership of Paddy Ashdown in the 1990s the Lib Dems took many seats off the Conservatives and became a significant party polling over 10% of the vote
- When Charles Kennedy took over in the late 1990s the party continued to grow until it held roughly 10% of the seats in Parliament and polled close to 20% of the vote nationally
- Campbell and Clegg led to party in the late 2000s but failed to make further gains
- Following the Hung Parliament of 2010 Clegg (a more right-wing economic figure) took the party into coalition with Cameron's Conservatives
- The party suffered significantly as a result as much of its support came from protest votes against Labour. Many of these supporters felt betrayed by the coalition
- The drop in Lib Dem support was highlighted in the 2015 general election where they lost more than half of their votes and saw their seats reduced from 57 to 8

UKIP

- One of the fastest growing parties in the UK
- The third largest party in terms of electoral support in 2015
- Only one MP
- UKIP's main success has been in influencing the debate over the EU
    - Pressure on the right of the Conservative Party forced David Cameron to promise a referendum on UK membership of the EU as part of his election strategy in 2015

SNP

- A major rise since the 1990s
- The third largest party in the UK
- The third largest party in the House of Commons
    - All but three of the seats in Scotland at the 2015 general election
- The governing party of Scotland

Plaid Cymru

- The Party of Wales
- Generally supported in north and west Wales though they have seen greater support in the traditionally Labour South Wales regions in recent years (though this growth has stalled since the mid-2000s)
- Push for greater devolution powers to Wales

<u>Have parties become catch-all parties?</u>

Yes

- The main parties are now essentially social democratic in nature. They are aimed primarily aimed at making piecemeal change rather than changing the face of society.
- The ideological wings of the main parties of become largely marginalised
- There are significant overlaps between the main parties as elections become little more than a branding exercise
- Parties that were once fundamentally opposed to each other were able to work in a stable coalition for five years
- There is an increased emphasis on presentation and personality over substance

No

- The election of Jeremy Corbyn has shown that the marginalisation of the ideological wings of the parties is far from a permanent feature of British Politics
- The three main parties have distinct ideological traditions which show in how they react to difficult situations
- Both parties have a committed core of support that identifies with their ideological traditions

- The ideological dividing lines between the parties have become more apparent during, and following, the Great Recession
- The increasing popularity of minor parties with strong ideology shows that ideology is still an attractive option for voters

Finance, Organisation, and Leadership

Finance

- The driving force of modern competitive systems of democracy
- Have a large bearing on the level of public trust
- Ecclestone and New Labour
- Fall in membership has implications for finance as donations dominate of membership fees
- Three key areas
    - Membership fees
    - Donations
    - Contributions from associated bodies (Unions etc)
- Why do they need finance?
    - Maintaining party HQ
        - Personnel, equipment, education and research, promotional material publication
    - Maintaining a reserve fund
        - For sudden emergencies such as capital repairs
    - Campaign costs
        - Advertising, general campaign costs
    - Local constituencies' (and Council Wards') expenses
        - Office maintenance, printing leaflets, costs of election candidates
- The state funding of parties
    - The Phillips Report (2007)
        - Response to 'Cash for Honours'
    - Debates over whether parties should be funded by the state to avoid potential conflicts of interest
    - Crossed loyalties between donors and constituents

Should political parties be state funded?

Yes

- Party activity is central to democratic government
- It would reduce party dependence on big donors
- With the increased number of elections and referendums in recent years financial strains on parties have become even stronger

No

- There is nothing wrong with the current system of funding
- Politics is a voluntary activity and it is not right for tax payers to fund it
- Public disillusionment is high and it is therefore not right for tax payers for politicians they dislike
- Cases in Europe have shown that state funding can actually increase the opportunity for corruption
- It will be expensive to do it properly and we have other spending priorities

Organisation and Leadership

- Local and National
    - Conservative Associations and CLPs
        - These groups are responsible for local organisation and sending to delegates to party conference
        - These groups are also responsible for selecting candidates for election
- Internal Party Democracy

    - Labour votes for its leader based on an OMOV system
        - All members are eligible to vote, as are registered supporters
    - The Conservative Party operates an elimination system similar to AV for its leadership
        - For each round of voting among MPs the lowest candidate is eliminated
        - This continues until two candidates are left
        - The final two candidates are voted on by the whole party membership
- Candidate Selection
    - Candidates officially chosen by local party members
    - Central office has a significant degree of influence
    - Labour
        - Imposition of 'All women shortlists'
        - Neil Kinnock de-selected two candidates that were members of Militant Tendency
        - Favoured candidates have been parachuted into safe constituencies
    - Conservatives
        - A-lists presented a list for local parties to select from
- Policy Making
    - Labour
        - Initially through conference
        - From 1997 the party adopted a 2 year policy review cycle to avoid disunity that had been a feature of previous conferences
        1. Joint Policy Forum (party leaders) decide which topics should be reviewed
        2. 183 member National Policy Forum oversees policy development
        3. External and internal submissions are made
        4. 1 year process of consultation through policy bodies (JPC, NPF, NEC)
        5. Conference votes on final recommendations
    - Conservatives
        - Until the late 1990s the leader normally determined policy
        - Consulted key MPs, 1922 Committee, party elders and members
        - 1998 Democratisation with the Policy Forum
        - Downgraded under Iain Duncan-Smith and subsequent manifestos have largely been the creation of the leaders core team

<u>*Do parties matter anymore?*</u>

Why have parties lost support?

- Single issue politics through pressure groups seems more exciting and relevant. This is notable, especially with young people. These groups allow more autonomy than the traditional structures of political parties.
- Traditional parties have served in office and have been tainted by power. This is notable with Labour and the Conservatives but especially with the Lib Dems in the collapse in their level of support from 2010 to 2015. Parties are often unable to match their actions to their promises.
- Perhaps countries are more difficult to govern today. People have high expectations of service but low expectation of the self-sacrifice necessary to achieve that service. Globalisation has also meant that governments are now more at the whims of the rest of the world than ever before.
- The media have undermined trust in politicians. This is a harder one to swallow as the media (in Britain at least) do not lie about politicians and their actions. What has happened since the late 1950s is an end of deference and the subsequent exposure of scandals and mistakes that were always happening but just not in the public eye.

Where are parties still important?

- Recruiting representatives and leadership
- Acting as the best way of ensuring competitive elections
- Educating the electorate as to policies
- Offering an opportunity for popular participation in the political process

Topic 4- Pressure Groups

What are pressure groups and why do people join them?

What are pressure groups?

- A pressure group is a group of like-minded individuals who join together in order to campaign for a change in the law or new legislation in specific areas.
- In order to do this they attempt to influence the government.
- Examples include Fathers for Justice, the BMA, Greenpeace, and the Countryside Alliance
- Non-elected and so raise questions over whether they are a positive or negative for democracy

Functions of pressure groups

- Participation
  - An avenue for participation between elections
  - Against representative theories but democracy demands communication be kept open
  - Allow for moderation of methods as they provide an open channel of communication
- Representation
  - Articulate common interests in society
  - Represent specific concerns
  - *Society for the Protection of Unborn Children*
- Education
  - A source of specialist knowledge
  - Educate both the public and are available for government consultation
  - *RSPB, BMA*

Why are pressure groups important?

- They have the power to change government policy
- In one way or another they are open to everyone
- With parties being more centrally controlled than ever they are many people's best way of changing the world
- They are easy to set up if you feel strongly about an issue
- They allow people to focus on one issue that is especially meaningful to them- they 'personalise politics'
- Similar groups will sometimes join together in a common cause (Team Badger)

Why do people join pressure groups?

- Most people belong to at least one voluntary association
- Human beings are essentially social
- Increase influence
- People may be inspired to act on what they see as an injustice
- Allows people to be involved in politics without having to spread their focus across a range of issues

Why have pressure groups grown in number?

- The growth in the extent and scope of governmental activity
- The growing complexity and specialism of modern life
- There has been a surge in interest in single issue campaigns
- The development of a multi-ethnic society
- The development of a multi-ethnic society
- The emergence of new issues and the onset of post-materialism
- Improvements in communication

What is the difference between pressure groups and social movements?

- Close relationship but different to pressure groups
- A large body of people and groups who are interested in a common theme of continuing significance
    - Women's Movement
- May have their own specific interests and strategies they adopt
- New Social Movements- have emerged since the 1960s and generally present a radical critique of society.
- They key difference therefore is the focus on societal structure rather than the focus on policy that pressure groups have

Classifying Pressure Groups

Sectional Groups

- Represent the shared interests of their members, as opposed to campaigning for a broader cause
- Normally have closed membership or are exclusive to those that reach certain qualifications such as professional unions
    - BMA

Cause Groups

- Sometimes referred to as promotional groups
- Seek to promote certain ideas or issues that are not necessarily of a direct benefit to their members but they believe will benefit the wider society
- Membership is inclusive and is therefore generally larger than sectional groups
- RSPB is one of the most visible cause groups (1-3 million members)

Insider

- Groups that enjoy close relations with decision-makers (Those in government)
- Generally have a good deal of specialist knowledge
- Generally agree with government on a broad range of issues
- Core Insiders- a wide range of agreement (BMA)
- Specialist Insiders- a narrow range of expertise (WWF)
- Peripheral Insiders- such narrow expertise that government only rarely consults them (Dogs Trust)

Outsider

- Groups outside of the political loop
- Could be those that have not yet gained insider status, have recently lost insider status, or are unlikely ever to have insider status
- Ideological Outsiders- distance themselves from government because of their ideology
- Outsiders by necessity- those groups that are forced to be outsiders because they have no realistic prospect of regular access to decision-makers

Problems with insider-outsider classification

- May be more useful to assess the likelihood of a group gaining access to government
- Groups can be brought into mainstream political thinking due to a change of government
- Wyn Grant argued that it might be more appropriate to classify as 'high-profile' insider groups which court the media as well as government and 'low-profile' insider groups which focus largely on working behind the scenes with government
- Grant also suggested that defining groups dependent on government as 'captive' or 'prisoner' groups

Critical- You must make sure to have at least one developed example of an insider group and one of an outsider group. You looked at this with your pressure group research prep

Pressure Group Methods

- Government
  - Contact with senior ministers
  - Provide advice to decision-makers
  - Consultation
  - Through government proposed legislation
- Legislature
  - Lobbying MPs and Peers
  - Giving evidence to committees
  - Influence backbenchers putting forward Private Members' Bills
  - Suggest amendments
- Appeal to the public
  - Marches
  - Strikes
  - Prolonged protest
  - Media campaigns
  - Influence the discussion agenda
- Other outlets
  - Legal action
  - European government
    - Supranational lobbying
    - Supranational decision-making bodies
  - Devolved and local government

Why has direct action increased?

What is direct action?

- "A situation in which a group takes matters into its own hands, rather than relying on established methods of decision making, to resolve the problem." Baggott
- Often people assume violence
- Not necessarily the case
- Often start as peaceful protest but many protest marches have dissolved into violence (Student Fees Protests 2010)
- Can also go directly to violent action
- Distinction between terrorist groups and pressure groups in this situation

Why has direct action increased?

- Growth in cause/promotional groups
- Publicity more likely at mass demonstrations
- Environmental interest has dramatically increased since the 1980s (mass activity in easier forms of direct action in more local areas)
- Conservative governments have shown less opportunity for consultation among the majority of pressure groups *(Labour v Countryside Alliance)*
- Increased ease in organising protests due to technology and social media
- Direct action helps simplify issues in the media

What are the benefits of direct action?

- Sometimes government action is simply not forthcoming without public exposure
- Direct action encourages the media to simplify the issues for the general public
- Non-violent action is often seen as noble (and sometimes heroic) which can attract others to study and join the cause

- Used sparingly it can grab public attention very effectively

What factors influence pressure groups success?

- Membership
- Leadership and staffing
- Esteem
- Funding
- Organisation
- Public support
- The ability to make strategic alliances
- Messaging quality
- Responsiveness of decision-makers

Pluralism

What is pluralism?

- Pluralism is a democratic ideal that stresses the existence of different and diverse groups interacting with the government in decision-making.

What is a pluralist democracy?

- In a pluralist democracy the government encourages participation and allows for free and fair competition between competing interests.
    1. There will be a diverse range of competing interests.
    2. There will be numerous access points to government
    3. No single group will be able to exclude others from the political process

Is the UK a pluralist democracy?

Yes

- Many access points to government through national, local, and devolved institutions
- Groups are free to express their views
- Civil liberties and civil rights
- Open government
- Independent judiciary
- Free and open media

No

- Often argued that the British system is not and is dominated by elites
- Members of a particular social class and educational background dominate the higher levels of government
- Those who argue this argue that democracy is more for show as the governing elite will always maintain its own interests

Are pressure groups good for democracy?

Theories of behaviour

- Pluralist
    - Concerns represent the views of ordinary people
    - They provide informed and specialised knowledge
    - They allow minorities to voice their opinions
    - They allow for the diversity of views to be expressed in a multi-cultural society

    - They prevent any single group from exercising power
- Corporatist
    - Close links between industry, business, and government
    - Britain 1964-79
    - Criticised as a threat to representative democracy
    - Criticism of decisions made behind closed doors
    - "Pluralists see society dominating the state: corporatists view the state as leading society." *Hague and Harrop*
- New Right
    - Question the value of groups in democratic life
    - Sectional bodies advancing their own interests
    - A distortion to the proper role of the executive and legislature
    - Makes it difficult for MPs to represent all views of their constituents
- Marxist
    - An unequal distribution of power is created
    - Dominated by moneyed interests
    - Workers' organisations do not have effective success

Are pressure groups good for democracy?

Yes

- They allow people to band together and express their views
- They act as a defence for minority interests, especially those unconnected with powerful parties
- They encourage wider participation
- They create a better link between the governed and the government
- They act as a valuable check on those that exercise power
- They provide valuable, specialist information

No

- They are sectional interests which oppose governments governing in the national interest
- Better resourced and connected groups are at a huge advantage
- They create a lack of transparency
- Groups are oligarchic in their tendencies with the membership often not representing the views of the group, especially in large groups
- Actions can be undemocratic and threatening
- They slow down decision-making and are a barrier to progress

Topic 5- The European Union

What is the EU?

- An intergovernmental institution
- 28 member states (until Brexit completes)
- An economic trading zone with political elements

The aims of the EU

- Promoting peace and the EU's values
- Establishing a single European market
- Promoting economic, social, and territorial cohesion
- Establishing economic and monetary union
- Establishing an area of freedom, security, and justice without internal frontiers

- Combatting discrimination and promoting equality

How has the UK seen the EU?

- Britain stood outside the immediate creation of the community
- Several attempts to join through the late 50s-late 60s (blocked by the French government)
- General acceptance in the 1970s
- Growing unease of deeper political union from the 1980s
    - Thatcher's statement to the Commons in October 1990
- Generally the British have been in favour of intergovernmentalism but against further integration
- Blair looked to develop further integration, including attempting to persuade Gordon Brown to take Britain into the Euro
- Blair still maintained a strong relationship with the USA
- When faced with a decision between the US on one side and the EU on the other over the Iraq War Blair chose to support the US
- Blair's rhetoric spoke of building a bridge between the US and the EU

Key Institutions

- European Commission
    - The executive
    - Acts as a civil service to carry out policies
    - Also makes some policy decisions
    - 28 members (1 per member state)
    - Expected to take a European attitude rather than focus on national loyalties
- European Parliament
    - Elected from the member states, 750 MEPs in total (+ the President)
    - Meets in Strasbourg
    - Receives reports from and questions the commissioners
    - Most of its work is done in committees that meet in Brussels
    - Its powers have increased in every major European treaty
    - Has the power to dismiss the entire Commission
- The Court of Justice
    - Based in Luxembourg
    - 1 judge per member state
    - Rule on matters of Union law passed down in treaties
    - Can arbitrate between states and between the Commission and states
    - Can fine states that break EU law or do not follow treaties
- Intergovernmental Bodies (European Council)
    - Council of Ministers
        - 1 minister per member state
        - Makes all policy decisions and issues directives like a government
        - Usually the Foreign Minister but it can be the minister specific to the issue at hand
        - Each member state takes it in turns for 6 months to hold the Presidency of the Council of Ministers
    - European Council
        - Meets every 6 months
        - Includes the chief executives of each member state
        - Discuss broad areas of policy and look to resolve disagreements

Is there a democratic deficit in the EU?

- Issues of a democratic deficit
    - The feeling that Brussels interferes where it should not
    - The absence of knowledge about what is going on in the central decision-making bodies
    - The belief that Brussels lacks sufficient democratic legitimacy
- What has been done?
    - Doctrine of Subsidiarity

    - Clarification of legislation and better public information to allow citizens' groups a greater say over policy
- What problems remain?
    - The early founders looked to impose their views on the people of Europe
    - In EU elections people tend to vote on national interests
    - Interest and understanding is limited so election turnout is low
    - There are no transnational parties to unify campaigning across the EU
    - Lack of democratic control in institutions like the Commission
    - Neither the Council of Ministers, nor the Commission are elected while the Parliament is elected but is not the strongest body
    - There is no effective popular or national level accountability of the Council of Minister or the Commission

EU Policy-making

- Only has power over policy in areas designated by treaties signed by members states
- Laws drafted by the European Commission
- Scrutiny from the EU Council and European Parliament
- Amendments agreed between the Commission, Council, and Parliament
- National governments have the final say over whether or not these laws are passed

The impact of the EU on UK politics?

Sovereignty

- The EU has primacy over legal sovereignty
- Pro-EU actors note that political sovereignty relates to influence and the UK has influence over the EU
- Difficulties arise over the clash between parliamentary sovereignty and the EU legal sovereignty
    - Factortame

The awkward partner

- Stephen George
- Distinctive history and culture
- Late entry
- Wariness of further integration
- EU policy exemptions
- Limited influence in EU negotiations
- Weak elite consensus
- Popular Euroscepticism

The EU Referendum

- The Leave campaign had a clearer running start than the Remain campaign
- Remain focused on an economic argument while Leave focused on a more emotional subject
- Leave had a clearer campaign slogan to grab attention
- Strong Leave support among the tabloid press
- A close result has left a divided country
- The geographical nature of the result has also created issues
    - Divide between metropolitan areas and the countryside
    - Divide between progressive cities and old industrial heartland cities
    - Divide between England and Scotland
    - A major reason voters in Scotland voted against independence was because they wanted to stay in the EU

UK Government

Topic 1- The Constitution

What is a constitution?

- The rules of the political game
- Defines two relationships in terms of how the country is run
    - The relationship between different branches of government
        - How do the branches of government work together?
        - Are they all equal or is one superior to the others?
        - How do they stop each other getting too much power?
    - The relationship between government and the people
        - What rights are the people guaranteed?
        - How are the government stopped from infringing upon these rights?

What is the purpose of a constitution?

- Codified constitutions normally come about following a period of upheaval
    - French Revolution, American War of Independence
- Provide legitimacy to those in power
    - Non-democratic gives the appearance of legitimacy
- Protect Freedom
- Encourage governmental stability
    - Order and predictability
- Draw attention to the goals and values that characterise the state
    - 1958 French- "attachment to the Rights of Man"
- Sets out the respective spheres of influence of tiers of government
- Creates a fresh start and a break with the past

Sources of the constitution

- Statute
    - Law created by parliament
    - Not all Acts are of constitutional significance but all that deal with relationships of power are considered part of the constitution
    - Act of Union 1707
    - Great Reform Act 1832
    - Parliament Acts 1911 and 1949
    - Human Rights Act 1998
- Common Law
    - Legal principles that have arisen as part of rulings in court
    - Courts interpret and clarify the laws passed by Parliament
    - These interpretations by professionals (judges) act as a guide to future lawmakers
    - This also includes customs that have become common practice such as royal prerogatives (powers used in the name of the Crown)
- Conventions
    - Rules or norms that are considered to be binding such as the monarch having to assent to Acts of Parliament
    - Not a part of statute or common law
    - Gordon Brown announced that the UK would not declare war without a parliamentary vote
- Authoritative Works
    - Legal and political texts
    - No formal legal authority but are still considered as a guide to constitutional practice
        - Erskine May: Treatise on the Law, Privileges, Proceedings and Usage of Parliament (1844)
        - Walter Bagehot: The English Constitution (1867)
        - V Dicey: An Introduction to the Study of the Law of the Constitution (1884)
- EU Law
    - 1st January 1973- The UK joined the EEC

    - Various European treaties established the predominance of EU law over domestic law in the case of a clash
    - Therefore, laws emanating from the European Parliament and European Court of Justice have all become a part of the British constitution

Features of the constitution

- Rule of Law
- Parliamentary Sovereignty
- Fusion of Powers
- Uncodified
- Unitary
- Constitutional Monarchy
- Flexible
- Parliamentary

Key developments of the constitution

- Magna Carta 1215
- Bill of Rights 1689
- Act of Settlement 1701
- Parliament Acts 1911 and 1949
- European Communities Act 1972

Constitutional Change since 1997

Strengths and weaknesses of the traditional constitution

Strengths

- It was tried and tested, evolving in response to genuine need
- Its rules and principles added up to a coherent whole
- It provided a clear centre of authority and ensured strong government
- It provided for responsible government that was accountable
- The rule of law protected the rights of citizens against the state
- It was sufficiently flexible to accommodate political and social change

Weaknesses

- It was outdated, with pre-democratic elements at its core
- It produced an excessive centralisation of power with few checks and balances
- It provided few opportunities for citizens to get involved in decision-making
- The rights afforded to individuals were weak and not adequately protected
- It was prone to manipulation by single-party governments

Key constitutional reforms

- Key Features
    - Modernisation
    - Democratisation
    - Decentralisation
    - Rights
- Rights
    - Human Rights Act 1998
    - Freedom of Information Act 2000

- Devolution
    - Scottish Parliament with primary legislative and tax raising powers
    - Welsh Assembly with secondary legislative powers (powers later increased)
    - Northern Ireland Assembly with primary legislative power
- Decentralisation
    - Elected mayor of London and reinstitution of the London Assembly
    - Elected mayors throughout Britain
    - Regional devolution- Health and Social Care in Manchester 2016
- Electoral Reforms
    - New electoral systems for devolved assemblies
    - PR for EU elections
- Parliament
    - All but 92 hereditary peers removed from the House of Lords
    - Reform to the business of the House of Commons
    - Codification that a declaration of war required a vote in Parliament
    - English Votes for English Laws in response to the West Lothian Question
- Judiciary
    - Supreme Court established
    - New system of judicial appointments
    - Restructuring of the role of the Lord Chancellor and Lord Chief Justice
- Participation
    - Referendums on devolution in Scotland, Wales, Northern Ireland, and the North-East of England
    - Referendums on the mayor of London and other cities
    - Regulation of political parties in elections and referendums
    - Fixed term parliaments

How successful have constitutional reforms been since 1997?

Positive

- Checks and balances
- The House of Lords has more legitimacy
- Freedom of Information has had an impact
- HRA has led to increased rights through legal victories
- The judiciary is more independent of government
- Fixed term parliaments increase stability

Not far enough

- The House of Lords is still not accountable
- The House of Commons remains ineffective at scrutinising the government
- HRA has not been given enough prominence
- Freedom of Information is too weak
- The judiciary is still not fully independent of government
- Coalition reform proposals were not applied effectively
- There has been a failure to deliver electoral reform

Has separation of powers increased since 1997?

Yes

- Creation of the Supreme Court
- Reform of the role of the Lord Chancellor
- The JAC was set up to limit the role of government in the judiciary
- Greater independence given to the House of Lords through Lords reform

No

- It is too early to tell whether the Supreme Court will act in an increasingly independent way (many justices were in place before the changes)
- The Commons is still the dominant part of government
- The JAC is still influenced by the government
- The Executive still dominates the Legislature
- Fusion of powers is still a central part of the UK constitution

Does the constitution need further reform?

No

- Flexibility
- It provides strong government
- It provides stable government
- Codification is too radical a measure to take
- The system is democratic

Yes

- It does not conform to a modern democratic world
- The constitution is excessively flexible
- Parliamentary Sovereignty is a threat to individual liberties
- The prerogative powers of the Prime Minister give him far too much power
- There are insufficient checks and balances
- It is too complex to inspire interest
- Devolution
- The electoral system alienates huge numbers of people

Clashes between individual and collective rights

See Rights and Responsibilities

Should the constitution be codified?

Yes

- It is the logical conclusion of recent constitutional reforms
- A codified constitution provides a clear statement of what is constitutional
- It would provide an opportunity to limit the dominance of the Executive in the UK political system
- It would provide an up-to-date statement of rights
- Key features would be entrenched and would improve the stability of the state
- It would be easier for the courts to interpret what is lawful behaviour on the part of the government
- The process would have educational value as it would encourage people to involve themselves in the consultation and the political process
- If done well it would make it easier for people to learn their rights and therefore work to protect them individually

No

- The flexibility of the current constitution is a positive as it can react to changing circumstances
    - Codified constitutions can be very inflexible if poorly written
- The constitution work well as it is
- There is no widespread demand for a codified constitution

- The protection of rights has generally been good and compared to many countries, the UK has a strong record on the protection of individual liberty
- There is no process agreed for the establishing of such a document
- There is no consensus on what such a document should include
- It would give judges too much political power in their role as interpreters
- There is no great popular demand for such a change

Topic 2- Parliament

Roles and functions of Parliament

What is the difference between a unicameral and bicameral system?

- Unicameral- a system with one chamber
- Bicameral – a system with two chambers

Positives and negatives of bicameralism

- Positives
    - Act as a check upon each other's power
    - A more effective check on the executive
    - Broaden the basis of representation
    - Allow for thorough scrutiny of legislation and more time for effective examination of bills
    - Act as a constitutional long-stop: delay the passage of bills and allow time for debate
- Negatives
    - Can be unnecessarily costly
    - Performs no useful role that cannot be covered by a streamlined lower house
    - Slows down or delays much needed legislation
    - Sometimes does not represent the electorate and is often more broadly conservative
    - Is a recipe for constitutional gridlock

The roles of Parliament

- House of Lords
    - Consideration of bills from the Commons
    - Initiation of non-controversial legislation
    - The power to delay Commons bills
    - Holding general debates
- House of Commons
    - Legislation
    - Raising and spending public money
- Both houses
    - Legislation
    - Representation
    - Scrutiny of the Executive

What is adversarial politics?

- Where the accepted system of politics involves two clear sides rather than a certified effort to find consensus

What are the advantages of adversarial politics?

- The electorate is presented with a ready-made alternative government with an alternative policy agenda
- There is a unified and coherent opposition

- A single party forming a government makes it possible to fully implement a manifesto
- Both sides of debate on all political issues can be heard
- It is difficult for governments to pass policies by stealth
- All policies are regularly subjected to exacting scrutiny
- Set-piece debates and occasions such as Question Time provide an element of political theatre that can capture public attention.

The House of Lords

Introduction to the House of Lords

- Powers
    - Subordinate to the Commons
    - Primarily a revising chamber due to the Parliament Acts
    - Cannot force the Commons to accept amendments
    - If the Commons rejects amendments the Lords can either block it for a year or back down
- Parliament Acts 1911 and 1949
    - 1911- Restricted the length of time a bill could be blocked to 2 years. Stopped the Lords blocking money bills
    - 1949- Reduced the blocking time to 1 year
    - War Crimes Act 1991, European Parliamentary Elections Act 1999, Hunting Act 2004
- Salisbury Convention
    - The Lords should not reject a bill that was part of the government's manifesto
    - Only a convention- 2006: Peers voted against identity cards

Composition of the Lords

- Hereditary Peers
    - Since 1999 they have been limited to 92 (down from over 750)
    - Peerages Act 1963 allowed peers to renounce their titles and membership of the Lords and also allowed women to sit in the Lords
- Life Peers
    - Created in 1958
    - Initially down to the Prime Minister
    - Now number over 650
    - House of Lords Appointments Committee recommends non-party peers and vets party nominations
- Includes former ministers and MPs

Labour's Lords Reform

- 1997 manifesto proposed removing all hereditary peers
- Government accepted a Lords amendment for the current 92 hereditary peers compromise
- The aim was for this just to be the first stage but no compromise on the second stage could then be reached

Failed Lords Reform

- The Wakeham Report 2000
    - Proposed that the majority of peers be appointed. 12-35% elected by proportional representation
- White Paper 2001
    - Proposed 20% to be elected (dropped). MPs given a free vote on seven options. None gathered majority support
- White Paper 2003
    - Proposed a wholly appointed House but was widely criticised
- White Paper 2007
    - Proposed 50% elected and 50% appointed
    - A wholly elected House and 80% elected both approved but were opposed by the Lords

- White Paper 2008
    - Set out a wholly elected or 80% elected chamber
- Joint Committee of Both Houses of Parliament 2012
    - Established by the coalition to propose a fully or mostly elected House. Failed to get necessary support in committee
- House of Lords Bill 2012
    - Proposed a reformed chamber to consist of 360 elected members, 90 appointed members, 12 bishops, and 8 ministerial members
    - Elected members would serve non-renewable 15 year terms, 1/3 elected every 5 years by proportional representation
    - Conservative backbenchers rebelled and plans were dropped with no majority likely

Does the House of Lords need further reform?

Yes

- Labour's reforms were only the first part of the process and it remains unfinished
- The number of hereditary peers that remain can still work to obstruct a democratically elected government
- Why is appointment any better than the hereditary system
- The current system should reflect Britain today. There remain issues with having groups such as bishops heavily involved

No

- As it stands the second chamber provides a valuable opportunity for debate
- Because of the process of applications of life peers there is always someone in the chamber who can speak with an authority on an issue
- The chamber has a good record in revising legislation that is rushed through the Executive dominated Commons

Should the House of Lords be fully elected?

Yes

- A fully elected House of Lords would have the legitimacy that can only be derived from democratic elections
- It would be more confident in its work scrutinising and amending government bills, improving the quality of legislation
- If no party has a majority, as would likely be the case under proportional representation, it would challenge the dominance of the executive
- If elected by proportional representation, it would be more representative of the electorate

No

- It would come into conflict with the House of Commons, as both would claim democratic legitimacy
- An appointed House would retain the expertise and independence of crossbench peers
- The problems associated with party control in the House of Commons would be duplicated in an elected upper House

<u>The legislative process/legitimising policy</u>

- The process
    - Consultation
        - Green Paper
        - White Paper
        - Public debate and consultation
    - House of Commons

        - First Reading
        - Second Reading
        - Public Bill Committee
        - Report Stage
        - Third Reading
    - House of Lords
        - First Reading
        - Second Reading
        - Public Bill Committee
        - Report Stage
        - Third Reading
    - Amendments
        - The bill goes back and forth between the houses until agreement is reached
    - Royal Assent
        - The bill is sent to the monarch to be signed into law
        - By convention this is a formality
- How effective is the Commons over legislation
    - It is an influencing body rather than a policy-making body
    - Party Discipline means the Executive can dominate
- Party Discipline
    - Party discipline is key by the party whips
    - A team of MPs in each party whose job it is to ensure that all members of the party vote according to the leadership's outlook
    - 'The Whip' is sent round every week and outlines the timetable for that week
        - Bills are underlined to emphasise their importance
        - If attendance at a vote is considered vital it is underlined three times. This is known as a 'Three Line Whip'. Ignoring a three line whip can result in an MP being suspended from the party (though this is normally after a number of such votes)

<u>*How representative is Parliament?*</u>

Models of representation

- Delegate Model
- Trustee Model
- Constituency Model
- Party Representation
- Descriptive Representation

Women in Parliament

- Labour tends to have a higher proportion of women candidates and MPs
    - In part this is due to the use of 'All Women Shortlists'
- A third of SNP MPs in 2017 were women
- Labour currently has the highest proportion with 119 seats of 262 being held by women

Other Representation

- Ethnic minorities- 14% of society; 8% of MPs
- Age- Young and older underrepresented. Most MPs between 25 and 55. Mhaira Black (20 in 2015) was the youngest MP to be elected since 1832
- Sexual orientation- 45 MPs elected in 2017 identify as lesbian, gay, or bisexual (the highest in the world)
- Fee paying education- 7% of society; 29% of MPs
- Social class- 1966: 37% of Labour MPs were working class, 2010: 7%
    - Conservative MPs are more likely to have worked in business
    - Labour MPs are more likely to have worked in the public sector (e.g. teachers)

Should MPs be more socially representative?

Yes

- It is dangerous in a democracy for certain groups to be under-represented as they may become disillusioned and turn to other forms of political action
- As long as groups are under-represented issues that affect them may not be fully discussed
- Legislatures need the services of the most able in society and every effort should be made to allow them to access Parliament
- It is hypocritical for parties that call for a meritocratic society to perpetuate a situation of under-representation in Parliament

No

- MPs are elected to represent the views of society, their social make-up does not come into this discussion
- Women and other ethnic groups are not homogenous and therefore to simply look at the main figure is misleading to actual representation
- Above all we need competent and caring people to represent us. The abilities and party allegiance are far more important than their social background

Roles and powers of MPs

Who are MPs?

- Elected from single member constituencies
- Constituencies vary in size and demographic make-up
    - Hammersmith and Fulham v Skye and Inverness West
    - Thirsk and Malton v Doncaster North
- Some have large majorities where they can represent constituencies for many years
    - Sir Gerald Kaufman (Manchester Gorton) 1970-present
- Others sit in marginal constituencies and are regularly at risk of being voted out of office
- Paid just over £60,000/year plus expenses
- Normally employ an assistant in their constituency and a small team in Westminster (plus unpaid research assistants)
- No formal job description

What are MPs most proud of?

- 43- introducing their own legislation
- 27- securing constituency investment such as saving or building a new hospital
- 25- service on a select committee
- "Successfully piloting through parliament my Private Members' Bill to tighten up the law on football hooliganism." Simon Burns
- "Inviting a man who was about to commit suicide to give me a week to solve his problems and contacting him after six days to say those problems had been solved." Teddy Taylor

What are the key roles of MPs?

- The party
    - Most MPs elected because of their party label
    - MPs expected to toe the party lane in debates and votes
- The constituency
    - MPs must represent the constituency that voted them into office
    - Must attend political meetings (surgeries) to discuss local issues with constituents
    - Expected to bring up local issues in Parliament
- The nation
    - MPs serve in a national legislature and therefore owe loyalty to the whole country

    - They should be aware of the issues across the country and not just in their locality
    - MPs spend roughly half their time on parliamentary rather than constituency business
- Conscience and special interests
    - MPs have their own ideas and preferences
    - They can also act as a spokesperson for outside interests with a particular concern for sectional groups

- Interests may conflict
    - MPs will be expected by their constituents to present the local viewpoint when there is a problem but must also look at issues in their national setting
    - Personal and party interests may conflict

How powerful is each house?

The House of Commons is dominant

- The House of Commons has been the dominant house for the last 100 years
- Powers
    - The right to insist on legislation
        - The Parliament Acts
        - If there is any dispute the Commons can overrule the Lords
    - Financial Privilege
        - The Lords cannot delay money bills
    - The power to dismiss the executive
        - If the government is defeated in a vote of no confidence it must resign
        - Confidence and Supply
- Conventions
    - The Salisbury Convention
    - Reasonable Time
    - Secondary Legislation

A more assertive Lords

- Since the 1999 reforms the Lords has been more assertive
- Attempts to block a number of pieces of legislation
- Government defeats in the Lords are more frequent
    - Blair and Brown- C:7, L:1,400+
    - 2010-15: 99
    - 2015-16: 60
- 4/10 defeats were accepted by Blair and Brown

Factors influencing increasing assertiveness of the Lords

- Party Balance
    - No party has a majority in the Lords
    - Governments must win cross-party support
    - Lib Dems were crucial under Labour governments while Crossbenchers had some influence under the coalition
- Enhanced Legitimacy
    - Increased expertise has led to increased legitimacy in producing amendments on legal and constitutional matters
- Government Mandate
    - Questions over the Salisbury Convention during coalition and minority governments
- Support from MPs
    - The Lords is most successful when government backbenchers agree with its amendments

How effectively does Parliament scrutinise the Executive?

How can government dominate the House of Commons?

- Almost always provide the majority of its membership
- Set the agenda of the Commons
    - Commons business
- Determine the legislative programme
- Shape the outcome and timing of legislation
- Discipline means they almost always win
- Dominate time in the Commons
- They control the flow of information to Parliament
    - EU referendum argument

How does Parliament scrutinise the Executive?

- Prime Minister's Questions
- Minister's Questions
- The role of the opposition
- Debates
- Select Committees
- The Liaison Committee

Why is PMQs a poor method of scrutiny?

- Often it is about political points scoring
    - "Punch and Judy politics" Cameron 2006
- Detailed scrutiny does not often occur
- Only takes place for 30 minutes a week
- A significant amount of that time is taken up with backbenchers asking questions to make the government look good
- C- Cameron has stated that PMQs means that the PM knows what is going on throughout the government due to the desire not to be caught out by an issue

How effective are select committees?

Effective

- Less partisan than the chamber and so suffer from less political points scoring
- Members are often well informed and can develop real specialism
    - Keith Vaz- Home Affairs Chair since 2007
- Members can feed the knowledge they gain from committees back into debates in the house to inform others
    - Lucy Allan MP- Education
- They have made government more open because of the government giving evidence over to the committees
    - Findings are made public on the Parliament website
- They deter ministers from behaving in a way that might be difficult to justify
- They may manage to persuade government to change course
    - 'The Poodle Bites Back'- Michael Tyrie and Alistair Darling

Not effective

- In recent years, the whips have tried to keep more independent MPs off committees
- Committees need more resources to follow-up and fully investigate issues independently
    - Liaison Committee findings 2010
- Generate much paperwork- though these are now also added to the Parliament website
- Minister can attend but refuse to answer questions while civil servants can often withhold vital information

    - Cabinet Secretary over the EU referendum
- They have a majority of governing party members as their composition reflects the balance of the house

What problems does the opposition face?

- Lacks the information of the government
- Has to respond to the government-set agenda
- There may be pressure from dispirited activists to push the party back to a more fundamentalist position after an election defeat
- Morale can be low after a heavy defeat or with poor election prospects ahead
- If a government changes their policies too quickly in response to the government the electorate may not trust them to stick to their guns and therefore not offer them support

How effectively does Parliament scrutinise the Executive?

Effective

- See arguments on select committees
- PMQs is a regular public forum
- Regular questioning of ministers and the PM in the chamber
- Debates on legislation
- Private Members' Bills
- The House of Lords contains experts who can effectively challenge poorly scrutinised government bills
- Having a dedicated opposition means that the government is constantly under scrutiny

Not effective

- See arguments on select committees
- See arguments against PMQs
- The government can effectively dominate the Commons
- The Parliament Act can limit scrutiny of government bills in the House of Lords
- Guillotine Motions can push bills through Commons committees before they have been effectively scrutinised
- The opposition is restricted in what it can achieve

How important are backbench MPs?

- Useful party members
    - Tend to specialise in a particular areas
- They can be good constituency members
- They can be individualists within the system
- Some MPs seek to combine their parliamentary work with an outside occupation
- Importance of rebellions

Topic 3- The Executive

What is the Executive?

What is the Core Executive?

- The heart of government
- Consists of the institutions and actors who coordinate central government activity (Whitehall)
- The core executive model claims that the PM and senior ministers all have resources and that the PM is primus inter pares rather than a commanding chief executive

The role of the Executive

- Making policy decisions
- Proposing legislation
- Proposing a budget

Powers of the Executive

- Prerogative Powers
- Control of the legislative agenda
- Powers of secondary legislation

The Prime Minister

Who is the prime minister?

- Head of the UK executive
- Provides political leadership in cabinet
- The office emerged in the 18th century due to communication difficulties between George I and the rest of the government
- It became the accepted title for the First Lord of the Treasury from the early 20th century when it became convention that the PM would come from the House of Commons rather than the House of Lords

Roles of the prime minister

- Political leadership
- National leadership
- Appointing the government
- Chairing the cabinet
- Managing the executive
- Prerogative powers
- Managing relations with parliament
- Representing the UK in international affairs

The Prime Minister's Office

- The PM does not have their own department but Number 10 is often referred to as the Prime Minister's Office
- Policy Advice
    - Provides the PM with policy advice
- Communications
    - Responsible for the presentation of government policy
    - Number 12 is the base of the Downing Street communications unit

Powers of the prime minister

- Commander-in-Chief (de facto)
    - Commons votes on action
- Signs treaties
    - Commons votes on treaties/referendums on EU
- Introduces legislation to parliament
- Offers government support to PMBs
- Power of Patronage
    - Reduced in the 21st century
- Agenda Setting in government/cabinet

Prime ministerial resources

- Patronage
- Authority in cabinet
- Party leadership
- Public standing
- Policy-making

- The Prime Minister's Office

Limitations on prime ministerial power

- The cabinet
- Their party/backbenchers
- Parliament (size of majority) and the opposition
- Events and timing
- Hostility from the media
- Public opinion

- Remember that all of these can vary along a sliding scale and therefore the amount of power a Prime Minister has depends greatly on the circumstances they find themselves in as well as their own leadership style

Development of prime ministerial power

- Foley argues that the Prime Minister has become more of a President because of:
    - Personal Leadership: the PM is expected to be the dominant figure
    - Public Outreach: the public spotlight falls on the PM much more than previously. They are the communicator-in-chief of the government
    - Spatial Leadership: A sense of distance has been created between the PM and the rest of the senior ministers. Blair and Cameron both presented themselves as outsiders within their own parties

Thatcher

- Thatcher ran her cabinet in a very authoritarian style
- It was clear that she was the leader rather than simply first among equals
- Cabinet meetings were shortened and the style changed
- Rather than a discussion taking place and a consensus being reached she would announce a policy and invite people to disagree with her
- Kitchen Cabinets decided policy (small groups of senior ministers directed by Thatcher)
- This style backfired as senior ministers became tired of it
- Michael Heseltine (her chief rival) resigned over the Westland Affair –helicopter procurement
- Lawson and Howe also followed
- When she was at her weakest she had few supporters left and when she held individual meetings with cabinet ministers they told her they would not support her when she was challenged for the leadership

Major

- A more consensus building style
- Looked to move away from the Thatcher model
- Generally weaker in Parliament limited how he could operate
- His party was strongly divided- including the cabinet
- He was caught on an open mic calling some his cabinet ministers "bastards"
- At one point he resigned in order to run for the leadership again in order to regain some form of authority over the government

Blair

- Returned to Thatcher's authoritative style
- Blair's leadership style had been to set himself apart from the Labour Party and this continued
- Cabinet meetings became even shorter than under Thatcher
- One day per week and some were as short as twenty minutes while it was rare for them to be over an hour
- Largely based on giving out information rather than discussing policy
- "Barely enough time to pass round the ginger nuts." Frank Dobson

- Ministers who did not suggest policy Blair liked were either moved or removed from government (Dobson on welfare)
- Bilateral and Trilateral meetings were the main focus: Blair and a minister / Blair, Brown, and a minister

Brown

- Again there was focus on cabinet committees and bilateral meetings
- Cabinet however became more prominent (slightly)
- There were still complaints from ministers about the leadership style employed
- James Purnell and Caroline Flint resigned in 2009 over Brown dictatorial and detail focussed approach to overseeing the departments in his government
- Frequently it was claimed that he maintained control of the Treasury from his time as Chancellor of the Exchequer
- Many of his problems in cabinet stemmed from his general unpopularity in the public and the fallout from the Great Recession

Cameron (Coalition)

- Like Blair Cameron set himself apart from the rest of his party
- Unlike Blair he has been more restricted in how he could go about his work
- The coalition meant there had to be much more consultation than even the Brown government
- The nature of a coalition means that the two parties must consult on policy and the Prime Minister cannot simply dictate with some help from the relevant minister
- This being said there were still smaller meetings in cabinet committees
- There were also meetings held between senior members of each party on how the two parties would coordinate on policy

Cameron (Majority)

- Despite being in the majority from 2015 Cameron is was heavily restricted by circumstances
- Like Major he is faced with an extremely divided party and so must tread carefully
- Having announced he will not run again in 2020 it is very difficult for him to reign in the power ministers like May and Osbourne (both potential leadership candidates) have developed for themselves in their departments
- The EU referendum also meant that managing the cabinet was more complex than perhaps any time in the previous forty years

May

- In the time May has been in Downing Street there has been a reported centralisation of power
- This being said it is also reported that there is more consultation with cabinet colleagues rather than the inner circle that existed under Cameron
- May's advisors (who have been with her for many years) are said to wield more influence than any since the Blair era
    - Key advisors were forced to resign after the 2017 election disaster
- Due to May's perceived weakness since the 2017 election she has been unable to dictate the structure of the cabinet or the government agenda
    - Tried to sack Hunt (Jan 2018) but ended up giving him an expansion to his department's responsibilities as he refused to step down
    - Issues with Boris Johnson
    - Backbenchers openly critical: "get a grip" Nick Boales (Jan 2018)
- "Hopeless." George Osbourne's assessment of May as PM

<u>Is the Prime Minister's power effectively unrestricted?</u>

Yes

- The Executive dominates the legislature

- The Prime Minister sets the cabinet agenda
- The Prime Minister controls how decisions are made in the core executive
- Prerogative powers to appoint ministers without confirmation from Parliament
- The Prime Minister is the UK's leader on the world stage and therefore can make treaties and declare war
- Recent Prime Ministers have increased the power of the office

No

- The PM is officially 'primus inter pares'
- PM is held to account by Parliament
    - PMQs and Liaison Committee
- Cabinet government and CCR means he must seek consensus
- PMs must take account of their party when selecting ministers
- Treaties and war now need parliamentary approval

Variables

- Constraints on power differ depending on the person in the office and the context
- Power therefore depends on context

What is the cabinet?

- The most senior ministers who are chosen by the Prime Minister
- They are at the centre of the core executive and British Politics
- Collectively empowered to make all decisions on behalf of the government
- Most are heads of department (Secretaries of State)
- Some are 'Ministers without portfolio'
- They are drawn from either chamber of Parliament
- Meets weekly to discuss the direction the government should take on particular issues

What is the role of the cabinet?

- Deciding on major policy to be followed at home and abroad
- Dealing with unforeseen major problems
- Coordinating the policies of different departments
- Planning for the long term

How does the Prime Minister choose cabinet ministers?

Who's in?

- Who are the people with greatest levels of support in his party
- Who might make trouble on the backbenches
- Who is popular politically
- Balancing the different wings of the party
    - Tony Blair had John Prescott as Deputy PM for 10 years
- Balancing within a coalition
    - When David Laws (LD) was forced to resign from the cabinet in 2010 he was replaced by another Lib Dem

Who goes where?

- Who are the people with greatest levels of support in his party
- Who might make trouble on the backbenches
- Who is popular politically

- Balancing the different wings of the party
    - Prominence as well as number
- Who should hold the most prominent positions?
    - Blair wanted rid of Brown but couldn't because of his popularity and standing in the party

Cabinet Meetings

- Frequency and length have reduced since the 1950s
- Used to be twice a week but now just once a week when parliament is in session
- Cabinet meetings under Blair tended to be shortest at between 20 and 60 minutes
- Meetings since Blair have lasted longer as they have taken a more discussion based format
- These are formal events
    - Fixed seating
    - Agenda set in advance
    - Items introduced by department ministers
    - Interventions from senior ministers and relevant departments are given priority

Cabinet Committees

- Most decisions are now taken in cabinet committees- aimed at formalising structures
- Types of Committees
- Ministerial Standing Committees
- Ministerial Sub-Committees
- Ad Hoc Committees
- Implementation Taskforces
- Standing Committees
    - National Security Council
    - European Affairs
    - Social Justice
    - Home Affairs
    - Economic Affairs
    - Banking Reform
    - Scotland
    - Parliamentary Business
    - Public Expenditure
- During the coalition two committees were set up to deal with relations between the Conservatives and Lib Dems (although they met infrequently)
- Inner Cabinet
    - PM's often hold meetings with senior groups of ministers on specific issues
    - Bipartate Meetings- PM and Minister
    - Tripartate Meetings- PM, other senior figure (Chancellor) and minister

The Cabinet Office

- Created in 1916
- Aimed at providing support for the cabinet system
- Calls meetings, produces the agenda, writes up the minutes
- Also coordinate bridging work between departments
- Responsible to the PM and committee chairs
- Led by the Cabinet Secretary (Sir Jeremy Heywood), who also attends cabinet
- Blair brought the Cabinet Office into the sphere of Number 10, where it led on policy delivery and public service reform

What are the roles of ministers?

- Policy leadership
- Representing departmental interests
- Departmental management
- Relations with Parliament

Why do ministers resign?

- Collective Cabinet Responsibility (CCR)
    - If a decision has been made by the government in cabinet then a minister must support it publically and vote for it. If they can't support it they are expected to resign
        - Secrecy- details of discussions must not be leaked
        - Binding decisions- once a decision is reached the minister must support it
        - Confidence vote- if Parliament votes against the government in a confidence vote then the whole government resigns
    - Strain upon CCR
        - Temporary suspensions
        - Ministers leaking information
        - Public dissent not leading to resignation
        - Prime ministerial dominance has limited to collective element of cabinet government
        - Coalitions mean a natural limit to CCR
- Individual Ministerial Responsibility (IMR)
    - Ministers resign if their performance or conduct do not come up to expected standards
    - Grounds for resignation
        - Mistakes made within the department
        - Policy failure
        - Personal misconduct
        - Political pressure (a number of mistakes over a long period)

Grounds for resignation

- Mistakes made within departments
    - Rare
    - Ministers have survived the illegal selling of weapons to Iraq (1996) and mistakes over BSE (2000)
- Policy failure
    - Lord Carrington 1982
- Personal misconduct
    - Ron Davies 1998
    - David Laws 2010
- Political pressure
    - Stephen Byers 2002
    - Peter Mandelson (twice)
- Inability to do the job
    - Estelle Morris 2002

Key figures in government departments

Civil Service

- The permanent staff in government departments
- Have previously been criticised by politicians of both sides to be conservative and obstructive
- Key Tenets
    - Neutrality
    - Anonymity
    - Permanence
    - Meritocracy
- Policy making and implementation were separated in the 1980s. Implementation now operates at arms length to the politicians and the Whitehall departments

Special Advisers

- Employed directly by ministers and their party
- Advise on policy and liaise with the media
- In 2015 the number employed across government was double that in the 1990s
- Roughly half exist in Number 10

Key examples of the PM and cabinet's ability to dictate events

- Harold Wilson
  - Social policy
  - Europe
- Margaret Thatcher
  - Trade Union Reform
  - The Poll Tax
- Tony Blair
  - Constitutional Reform
  - The Iraq War
- David Cameron
- Theresa May

Topic 4- The Judiciary

The role and composition of the Supreme Court

Origins

- Came into being in 2009 under the Constitutional Reform Act 2005
- Attempted to solve a number of concerns with the previous system
  - Incomplete separation of powers
  - Presence of the Law Lords in the House of Lords
  - Opaque system of appointments
  - A lack of clarity on the work of the Law Lords

Roles and functions of the Supreme Court

- The only common feature of the various UK legal systems
- The highest court of appeal
- Conduct judicial review cases

Roles of the judiciary

- Preside over trials for serious offences
- Deliver sentences
- Peacefully resolve civil disputes between individuals
- Uphold the will of the legislature
- Judicial Review
- Chair enquiries into governmental actions

Why has the role of the judiciary widened in recent years?

- The increasing complexity of government
- An increasing emphasis on the rule of law and rights of citizens
- An increasing willingness of groups to use the courts to get their demands met
- An unwillingness of politicians to deal with sensitive issues

The key features of the legal system

- The Ministry of Justice
  - The department which has assumed responsibility for sentencing policy, probation and prisons
  - It is responsible for dealing with all suspected offenders from the time they are arrested, through until convicted offenders are released from prison
- Lord Chancellor
  - Also known as the Minister for Justice

    - Head of the Ministry of Justice
- The Lord Chief Justice
    - The most senior judge in the UK
    - Head of the judiciary
    - Has responsibility for the system of courts and judges
- The Home Secretary
    - Retains responsibility for the police and security services
- The Supreme Court
    - The highest court of appeal
    - This position was formerly held by the House of Lords until 2009 (changes made under the Constitutional Reform Act 2005)

Appointments to the Supreme Court

- The founding members of the Court were the Law Lords in post in October 2009
- Those appointed to the Court after October 2009 are not automatically awarded peerages
- Candidates must have either held high judicial office for at least 2 years, or been a qualifying practitioner for a period of 15 years
- Positions are filled by an ad hoc selection committee which compromises the President and Deputy-President of the Court, a member of the JAC, a member of the Judicial Appointments Board for Scotland, and a member of the Judicial Appointments Board for Northern Ireland
- The Lord Chancellor is only allowed to reject the recommendations twice before they are bypassed

The composition of the Supreme Court

- Accusations of elitism due to the nature of the profession and required qualifications
- The vast majority studied at Oxbridge colleges
- The vast majority studied at independent schools
- All current members are between 60 and their mid 70s
- There is only one woman on the Court

The Rule of Law

- AV Dicey saw the rule of law as one of the key pillars of the UK constitution
- No one can be punished without trial
    - Belmarsh 2004 and terror suspects
- No one is above the law and all are subject to the same justice
    - MPs and members of the royal family have been tried by the courts
- The general principles of the constitution result from judicial decisions rather than statute
    - Common law
    - Parliament remains sovereign

Judicial Independence

What is judicial independence?

- The separation of the judiciary from the legislative and executive branches of government
- Part of Montesquieu's 'separation of powers'

Why is judicial independence important?

- If judges are under threat (any method) from the legislature or executive taking action after their rulings then their rulings may be influenced more by their own sense of self-preservation rather than by their search for justice.
- If the judiciary are not independent of government then they cannot always effectively check the power of government.

What can threaten judicial independence?

- Direct threat
- The legal framework (Parliamentary Sovereignty)
- The appointment of judges
- Financing of judges

How does judicial independence work in the UK?

- Since 2005 judicial independence has been enshrined in law
- This was achieved through:
    - Limiting the power of the Lord Chancellor
    - Establishing a Supreme Court separate of Parliament
    - Creating the independent JAC
- How is it protected?
    - Methods of judicial selection
    - Security of judicial tenure
    - Judicial Neutrality
    - Judicial actions should not be subject of a parliamentary debate (convention)
    - Those involved in court proceedings are granted immunity from defamation
    - Judges receive fixed salaries which are not subject to parliamentary approval

Judicial Neutrality

What is judicial neutrality?

- Judges are meant to act above politics
- They are expected to be impartial and not vulnerable to political influence and pressure
- They are expected to not engage in partisan activity
- They are expected to generally not comment on public policy
    - Though there is some allowance for a general comment as long as it is non-partisan
- Criticised by many on the Left for over a century due to the perception that their decisions are based on their backgrounds and class allegiances
    - Taff Vale Case 1901 severely restricted the rights of Unions
    - Manifesto (1985)- blamed background rather than known bias for a lack of balance in judicial decisions towards the Labour Movement
    - Griffiths (1997)- argued that judges are more prone to favour property rights than human rights due to their background and careers

What is judicial review and how has it become more important?

- The process that enables judges to override the acts or laws of the government and parliament
- **"Judicial review is a type of court proceeding in which a judge reviews the lawfulness of a decision or action made by a public body."** (Government website 2013)
- Rules if the government has acted 'ultra vires', or outside of its authority
- Two major areas
    - When the actions of the government or a particular part of the government such as an individual minister or department are in question
        - The issue goes to the Supreme Court

Why has the judiciary recently been described as 'activist'?

- Government has become increasingly closed off to the demands of public groups such as pressure groups.
    - Initially with the Thatcher government but since this has been seen in the case of the New Labour governments

    - The major issue area where this was seen was with the miners who brought cases to court which saw judges ruling on issues of current political focus
- The entry of the UK into the EU has increased the possibility for judges to become involved in matters directly against the government of the day.
    - Under the Treaty of Rome 1973 UK law cannot contradict EU law
    - Judges have the power to strike down laws that go against this
    - Factortame Case 1990- Factortame sued the government over unlawful restrictions to foreign fishing ships under the 1988 Merchant Shipping Act
- The Human Rights Act (1998) has further increased the scope for judicial action
    - HRA 1998 has created a situation in which the judges are again given a situation in which they can be in direct conflict with the government of the day over a political issue
    - Belmarsh 2004- terror suspects locked up in Belmarsh Prison without charge. The Law Lords ruled that this action of the Home Secretary went against the HRA 1998 and ordered the practice to end
- Increased separation of powers has given the judiciary an increased sense of power and independence
    - Though this is a more recent feature (The Supreme Court was only opened in 2009) it could still be important
    - 2011- Supreme Court Justices ordered that the government practice of freezing the assets of terror suspects was unconstitutional and ordered them to cease the actions
    - It is difficult however to tell how much of an impact the Supreme Court has had. Trends like increased independence develop over decades rather than months. Some justices are still in place from when the highest court sat in the House of Lords for example
- Evolving view of the role of judicial review
    - As in many areas of life there has been a 'snowball effect' when it comes to judicial review
    - The more cases there have been in the public view the more people realise that it is an avenue that they can pursue
    - This has led to an ever increasing number of cases as members of the public seek legal action for actions they feel have disadvantaged them.
    - Greenpeace 2007- Greenpeace successfully brought a review against the government over whether proper consultation had taken place over a new construction. They were successful and the process had to be restarted.

What has been the impact of the Human Rights Act 1998?

- Incorporated the European Convention into British law with some additions and clarifications
- British citizens could now appeal against government actions on human rights grounds in British courts
- This sped the process up immensely and gained greater immediate protection for individual liberties
- The courts now have effective power to hold government to account
- Also, some of the old precedents used in civil rights laws have become less important

Judicial Review

What is judicial review?

- The US Supreme Court can declare Acts of Congress unconstitutional but the UK Supreme Court can't do this. It's influence comes through judicial review
- The key courts are the Supreme Court and the Courts of Appeal directly below it
- Judicial review establishes precedent (Common Law) which is a key part of the UK constitution
- They clarify the law rather than simply applying

How does judicial neutrality work?

- When the actions of the government or a particular part of the government such as an individual minister or department are in question. Here the issue goes to the Supreme Court. The Court will rule on whether the governmental or ministerial action complies with the law.
- When someone appeals the action of a local authority.
- In this case the courts rule on whether the authorities have or have not acted beyond the power granted to them by Parliament.
- If they have this is known as 'ultra vires'.

Has the judiciary become too powerful?

Yes

- They have increasingly come into conflict with the elected governments of the British people while they are unelected
- Their influence has increased through the necessary interpretation of the HRA
- Their influence has further been increased through the influence of EU law

No

- They are a vital check on the under-restricted power of the government
- Increased separation of powers is a positive thing in checking government power
- Parliamentary Supremacy

Has the judiciary become too politicised?

Yes

- The HRA 1998 has meant that senior judges have been drawn into political debates such as Brexit
- Factortame established that UK courts can suspend Acts of Parliament that contravene EU law
- The creation of the Supreme Court has meant that senior judges are even more in the public eye than before
- Politicians have broken with tradition by not defending judges accused of being 'Enemies of the People' and the Brexit Minister also criticised the ruling

No

- The appointment process is more transparent since the creation of the JAC
- The term 'politicisation' is misused. While it has been considered a way of describing judges being more involved in political cases, in fact the descriptions given normally show that the judiciary has become more independent in challenging the government
- Judges should be challenging politicians. They are the best defence for the civil liberties of all the people
- Security of tenure and guaranteed salaries maintains the independence of judges

The potential impact of Brexit

- Brexiteers long argued that British institutions should regain their sovereignty and the UK should no longer operate under the ECtHR
- The ECHR and ECtHR were not established by the EU and are not directly connected with the EU
    - The ECHR was drawn up, in part, by the UK 25 years before they were in the EU
- The ECHR is therefore connected to neither the EU or the HRA
- EU law will no longer be superior to Westminster and therefore the Supreme Court will no longer be in a position to suspend Acts of Parliament
- The Supreme Court would become the true final authority of law in place within the UK
    - This would truly elevate it onto a level closer to that of the US Supreme Court

Topic 5- Devolution

What is devolution?

- The process by which central government gives political power to regional parliaments and assemblies
- The main difference between devolution and federal systems (Germany and the USA) is that central government can theoretically take back the power it has devolved
- Devolution was delivered in the UK in the late 1990s with the new Labour government as a reaction to the centralisation of the Thatcher era
- Different types of states
    - Unitary- a central government which dominates that can devolve power
    - Federal- a formal and entrenched division of powers between central (federal) and state (regional) governments
    - Confederalism- a loose version of federalism where the states retain the greater power (Switzerland)

Positives and negatives of unitary and federal systems?

Unitary Positives

- Clear ranking of authority creating few tensions between different levels
- Provides a clear focus for loyalty for all citizens who identify with the country as a whole

Unitary Negatives

- Excessive concentration of power at the centre
- Inadequate representation of regional and minority interests

Federal Positives

- Acts as a check on central power
- Provides for national unity in large countries while also catering for regional responsibility
- States are useful laboratories for democracy where policy experimentation can take place before going national

Federal Negatives

- Overlapping powers can lead to tensions between different levels of government
- There is a broad trend for power to become increasingly concentrated in the centre
- Can potentially be slow to respond to arising issues

How did the push for devolution develop?

- Wales and Scotland were once independent states
    - Wales was absorbed into England in the 16th century
    - Scotland joined with England in 1707
- Scotland and Wales were administrated from London with offices in their respective capitals
- Northern Ireland had its own parliament at Stormont but when civil war broke out direct rule from Westminster was introduced
- From the 1960s Scottish and Welsh nationalism grew in influence
- Early in the 1970s oil was discovered in the North Sea and calls for greater power for Scotland increased
- In Wales there was never the call for independence that developed in Scotland but the calls for self-government were still strong
- Traditionally neither Labour nor the Conservatives were keen on limiting their power in Westminster
- Labour entered an agreement for referenda on devolution in exchange for support in Westminster in the late 1970s

- Labour and the Lib Dems continued to work with local groups to agree proposals for devolution when they got into power
- With Labour's victory in 1997 the path was open for devolution referenda which resulted in a Scottish Parliament and Welsh Assembly, while Northern Ireland was also given its own assembly
- The Conservatives opposed devolution until after it was put in place and then accepted the settlement though focused on issues with the current settlement

How does devolution work across the UK?

Scotland

- A parliament of 129 members elected by AMS
    - 57% elected in constituencies
- The leader of the largest party (normally) becomes First Minister
- Powers include criminal law, education, health, policing, transport, the environment, and economic development
- Power to make and amend laws
- Tax-varying powers (+/- 3%)
- Funding from a treasury grant
- Some legislative powers are reserved to Westminster
- Westminster may still override the Scottish Parliament in areas where legislative power has been devolved

Recent Developments

- Bogdanor- "creeping federalism"
- Scotland gained the power to set an income tax in 2012
- Independence was put on the agenda by the SNP landslide in the Scottish elections of 2011
- 2014 referendum- further devolution promised as part of the 'Better Together' campaign, credited with convincing undecideds
- Scotland Act 2016
    - Income tax and bands
    - Additional taxes and duties
    - 50% of VAT retained by Scotland
    - Control over certain welfare provisions
    - Power over the franchise
- Current Powers
    - Sets income tax rates and bands
    - Power over other specified taxes and duties such as air passenger duty and stamp duty
    - Health and social policy
    - Some welfare benefits
    - Abortion law
    - Significant strength in environmental policy
    - Primary and secondary education
    - University education
    - Culture, language and sport
    - Justice, police, prisons
    - Elections

Wales

- An assembly with 60 members elected by AMS
    - 40/60 elected in constituencies
- Initially administrative though since 2011 it has been granted legislative powers similar to the Scottish Parliament
- Funding comes from a treasury grant
    - The assembly decides how to allocate this money
- Does not have tax-varying powers

- The First Minister (normally the leader of the largest party) heads the government and appoints the cabinet
- Current Powers
    - Welsh rate of income tax
    - Other taxes and duties
    - Health and social services
    - Significant powers over environmental policy
    - University education
    - Culture, language and sport
    - Elections

Northern Ireland

- Power granted back to Stormont in 1998
- Elected through STV to ensure power-sharing between different religious groups (108 members)
- A similar settlement to that in Wales
- Due to the political climate there have been four suspensions of the Stormont Assembly since 1998
    - Feb-May 2000
    - 10th August 2001
    - 22nd September 2001
    - October 2002-May 2007
- 2007-11 was the first session not to suffer from a suspension
- Recent sessions have been notable for involving coalitions between the more radical parties of the unionist and nationalist groups
- Current Powers
    - Corporation tax
    - Health and social services
    - Some welfare benefits
    - Similar environmental powers to Scotland and Wales, minus onshore gas and oil extraction
    - Culture, language and sport
    - Justice, police, prisons
    - Elections

Recent Developments

- The Assembly's coalition between the DUP and Sinn Fein collapsed in 2017
- Sinn Fein refused to nominate a new deputy minister unless there was an investigation into suspect practises of the DUP leader
- Fresh elections were held and Sinn Fein significantly increased their vote
- Still no agreement on a further power sharing agreement

<u>Existing devolution in England</u>

Local government

- Local authorities/councils are the only branch elected below Westminster in England
- Different levels exist:
    - Unitary Authorities
    - County Councils/Metropolitan Councils/London Assembly
    - District Councils/ Metropolitan Districts
- Local authorities are responsible for:
    - Education, social services, housing, planning, roads, environmental health, leisure services
- Combined Authorities
    - Groupings of metropolitan councils that work together and have additional policy-making powers
    - These are the areas overseen by the new Metro-Mayors

The impact of devolution on the UK

- The UK is no longer a centralised unitary state
- A quasi-federal UK
    - Limited parliamentary sovereignty
    - Quasi-federal parliament
        - Westminster makes laws for England only in some cases
    - Joint Ministerial Committee
        - UK ministers and their counterparts from devolved administrations meet to discuss non-devolved matters
    - Supreme Court
        - Resolves disputes over jurisdiction
- Policy divergence
    - Prescription Charges
        - England- £8.40
        - Scotland- abolished 2011
        - Wales- abolished 2007
        - Northern Ireland- abolished 2010
    - NHS structure
        - England- internal markets
        - Scotland- internal markets abolished
        - Wales- internal markets abolished
        - Northern Ireland- limited markets
    - Tuition fees
        - England- Yes
        - Scotland- None for Scottish students at Scottish universities
        - Wales- Grants for Welsh students in the UK
        - Northern Ireland- Lower fees for Northern Irish universities

Future options for English devolution

- English Parliament
- EVEL
- Regional Assemblies

Has devolution undermined the Union?

Positive

- Widely seen as democratic
- Provides legitimate government closer to the people
- Provides a socially representative chamber due to an element of proportional representation
- It preserves the UK as an entity
- It has resulted in distinctly regional policies

Negative

- The poor organisation of leadership and buildings in the beginning diminished its long-term legitimacy
- It is the first step on a slippery slope to a break-up of the UK
- It has created an issue with the West Lothian Question that English Votes for English Laws only papers over
- It is a recipe for tensions between Westminster and the regions when they are governed by different parties

Potential Questions

Democracy and Participation

Explain Questions

- Explain the differences between direct and representative democracy
- Explain the difference between parliamentary and presidential democracy
- Explain the functions of democracy
- Explain how people can participate in the political process
- Explain the differences between electoral and non-electoral participation
- Explain why traditional forms of participation are in decline
- Explain how rights developed in the UK
- Explain the significance of different suffrage campaigning groups
- Explain the features of liberal democracy
- Explain arguments in favour of extending the franchise

Debate Questions

- Is turnout the only way of measuring participation?
- Is there a participation crisis in the UK?
- Are politicians to blame for declining turnout?
- What is the most important way to participate in politics?
- Did violent methods help get women the right to vote?
- Should prisoners get the right to vote?
- To what extent does the UK's representative democracy require improvement?

Elections and Direct Democracy

Explain Questions

- Explain how different regions/groups vote
- Explain how different factors impact on voting behaviour
- Explain the impact of the mass media on voting behaviour
- Explain the impact of televised debates on voters
- Explain why voting behaviour for Westminster is often unpredictable
- Explain the impact of dealignment on patterns of Labour and Conservative support
- Explain how voting patterns have changed across three different elections
- Explain how elections promote democracy
- Explain the roles/functions of elections
- Explain the difference between majoritarian/plurality/proportional/hybrid systems
- Explain why FPTP rarely results in coalitions at Westminster
- Explain the strengths and weaknesses of different electoral systems
- Explain strengths and weaknesses of referendums
- Explain why referendums may undermine representative democracy
- Explain how the increased use of referendums can be said to have strengthened democracy
- Explain why governments call referendums

Debate Questions

- Is voting behaviour in UK elections stable or volatile these days and has this changed?
- Is voting behaviour determined by campaigns and image rather than policies and performance in office?
- Is the election campaign more important than long-term factors today?
- Consider the significance of different voting determinants
- Are party leaders the main reason for a party's electoral fortunes?
- Does the class system still matter in UK politics?
- Should we get rid of FPTP?
- Should a proportional system replace FPTP?
- Should a different system replace FPTP?
- Does FPTP reflect the views of the electorate?
- Is there a perfect electoral system?
- Have the new electoral systems been effective in the UK?
- Positives and negatives of referendums

- Are referendums suitable for deciding issues such as social policy?
- Have referendums enhanced representative democracy in the UK?

Political Parties

Explain Questions

- Explain the roles/functions of political parties
- Explain the roles and functions of minor parties
- Explain the difference between political parties and pressure groups
- Explain views associated with Left and Right
- Explain policy differences between the main parties
- Explain policy differences within the main parties
- Explain how the Labour and Conservative parties elect their leaders
- Explain how the main political parties are organized

Debate Questions

- What party system does the UK have today?
- How effectively do parties fulfil their roles and functions?
- Are the main parties now simply catch-all election winning machines?
- Does the concept of an electoral mandate make sense?
- How much power do ordinary members have within the main parties?
- Have the main political parties remained true to their traditional roots?
- Are the main parties dominated by their leaders?
- Are the ideological differences within the main parties more significant than the differences between them?
- How have the ideologies of the main parties changed in recent years?
- Should parties be state funded?

Pressure Groups

Explain Questions

- Explain the difference between pressure groups and political parties
- Explain why pressure groups are increasing in number
- Explain the positives and negatives of different classifications of pressure groups
- Explain what resources determine pressure group success
- Explain pressure group methods
- Explain why groups become insiders/outsiders
- Explain why insider groups are more successful than outsider groups
- Explain why some groups stay as outsider groups
- Explain the difference between pressure groups and social movements
- Explain why it may be desirable for a pressure groups to be internally democratic
- Explain how pressure groups can encourage participation
- Explain why some pressure groups operate at the EU level

Debate Questions

- How much influence do pressure groups have on government policy?
- How and why have pressure group methods changed in recent years?
- How successful are pressure groups?
- What are the most important reasons for pressure group success?
- Are a pressure group's chances of success largely determined by its aims?
- Do influential pressure groups prefer to operate behind closed doors?
- Are pressure groups good for democracy?
- Is the internet good for pressure groups?

The EU

Explain Questions

- Explain the aims of the EU
- Explain the main features of the EU
- Explain the functions of the European Council

- Explain why members of the Council of Ministers may be more focused on national politics
- Explain why members of the European Parliament can have conflicting loyalties
- Explain why the EU may be seen to be undemocratic
- Explain the impact of the EU on UK politics
- Explain the reasons why the UK voted to leave the EU

Debate Questions

- Has the European Union achieved its aims?
- Is the European Commission the dominant body in the EU?
- Is there a democratic deficit in the EU?
- Do some sections of the EU have a greater democratic deficit than other?
- How far can it be said that the European Parliament has seen an expansion in its power and authority in recent years?
- Will departure from the EU restore British sovereignty?

The Constitution

Explain Questions

- Explain why having a flexible constitution may leave British citizens without adequate protections from government
- Explain the sources of the UK constitution
- Explain the key features of the UK constitution
- Explain two arguments for having common law as a part of the constitution
- Explain how the UK constitution regulates 'the conduct of government'
- Explain why, in practice, parliamentary sovereignty is not undermined by the Human Rights Act
- Explain the difference between a unitary and federal constitution
- Explain the key developments in the rights of citizens before 1997
- Explain the arguments for/against codification of the constitution
- Explain how far separation exists in the UK constitution

Debate Questions

- To what extent is separation of powers increasing?
- What are the strengths and weaknesses of the British constitution?
- Do the sources of the UK constitution help or hinder it?
- Is the British constitution becoming increasingly codified?
- Should the UK adopt a codified constitution?
- Does the UK constitution effectively protect the rights of its citizens?

Parliament

Explain Questions

- Explain the roles/functions of Parliament
- Explain arguments for and against House of Lords reform
- Explain why a partially elected House of Lords may end the dominance of the House of Commons
- Explain how Parliament legitimises policies
- Explain how MPs articulate the views of different groups to government
- Explain how MPs represent people and groups
- Explain why government defeats in the House of Commons are rare
- Explain the role of the Speaker in the House of Commons
- Explain why MPs normally follow the instructions of party whips
- Explain why MPs may rebel against the party whip
- Explain why government defeats on confidence motions rare
- Explain how the opposition can challenge the government
- Explain how the opposition is limited in how it can challenge the government
- Explain three parliamentary committees

Debate Questions

- Is the House of Lords now useless and does it need to be abolished?
- Should the House of Lords be reformed?
- Do MPs put their constituents first?

- What is the most important role of an MP?
- What is the most important role of a backbencher?
- Does the House of Commons offer backbenchers a significant opportunity to influence policy?
- Is the role of a backbencher to support the party leadership?
- What is the most effective methods of scrutinising the Executive?
- Is the House of Lords more effective than the House of Commons at scrutinising the Executive?
- Is the House of Commons more effective than the House of Lords at scrutinising the Executive?
- How effectively does Parliament scrutinise the Executive?
- How effective are select committees in scrutinising the executive?
- To what extent does party control limit the effectiveness of Parliament?
- Has the Backbench Business Committee been a success?
- Has parliamentary reform since 1997 gone too far?

The Executive

Explain Questions

- Explain the key powers of the Prime Minister
- Explain why it is a convention that the Prime Minister is a member of the House of Commons
- Explain how the Prime Minister's power to hire ministers is both a power and a restriction
- Explain the factors the Prime Minister must consider when choosing members of the cabinet
- Explain why Prime Ministers have been seen as presidential
- Explain how Prime Ministers may use cabinet reshuffles to exert their authority
- Explain the main functions of the UK cabinet
- Explain why it is necessary to have four or five ministers within government departments
- Explain the factors that influence the success of a minister
- Explain the importance of Individual Ministerial Responsibility
- Explain the importance of Collective Cabinet Responsibility
- Explain how the cabinet can function like a group of individuals rather than a collective body
- Explain why ministers resign
- Explain why civil servants appear cautious

Debate Questions

- How powerful is the Prime Minister?
- What is Prime Minister's most important power?
- What is the most important limit on prime ministerial power?
- Has the Prime Minister become more of a President?
- Is it the Prime Minister or the cabinet that dominates the core executive?
- Has the power of the Prime Minister increased in recent years?
- Is the power of the Prime Minister based on who is the Prime Minister?
- What is the Prime Minister's most important power over other cabinet ministers?
- Do ministers have power to constrain the Prime Minister?
- Is the Prime Minister more constrained within a coalition government?

The Judiciary

Explain Questions

- Explain the roles/functions of the Supreme Court
- Explain the key principles of the judiciary
- Explain the importance of judicial review
- Explain the importance of judicial independence
- Explain the important of judicial neutrality
- Explain how it can be argued that judges are engaging in judicial activism.
- Explain how it can be argued that judges are not engaging in judicial activism

Debate Questions

- Is the judiciary independent and impartial?
- To what extent are the judiciary becoming more independent?
- How important are judicial neutrality and independence?
- Is the judiciary really neutral?

- Has the judiciary become increasingly politicised?
- Are judges too powerful?
- Should the HRA 1998 be replaced with a British Bill of Rights?

Devolution

Explain Questions

- Explain the different forms of power distribution
- Explain the limitations on the power of the Scottish Parliament
- Explain how devolution developed before 1997
- Explain the powers of the devolved governments (individual or collective)
- Explain the issues arising from the West Lothian Question
- Explain the current situation of devolution in England
- Explain the impact of devolution on England
- Explain two arguments in favour of creating an English Parliament
- Explain two arguments in favour of regional devolution
- Explain arguments in favour of EVEL
- Explain arguments for/against the UK becoming a federal state
- Explain how devolution can be said to have undermined the Union

Debate Questions

- Has devolution been a positive or a negative?
- Have the devolution settlements simply encouraged Scottish and Welsh nationalists further?
- Should the UK become a federal state?
- What is the best option for future English devolution?
- Has devolution undermined the Union?
- Has devolution created greater representative democracy in the UK?